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Proposed programme budget for 2021

Programme planning

Proposed programme budget for 2021

Part III

International justice and law

Section 8

Legal affairs

Programme 6

Legal affairs

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* [A/75/50](#).

** In keeping with paragraph 11 of resolution [72/266 A](#), the part consisting of the programme plan and programme performance information is submitted through the Committee for Programme and Coordination for the consideration of the General Assembly.

*** In keeping with paragraph 11 of resolution [72/266 A](#), the part consisting of the post and non-post resource requirements is submitted through the Advisory Committee on Administrative and Budgetary Questions for the consideration of the General Assembly.



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I. Office of Legal Affairs

Foreword

Mandated to provide a unified central legal service for the Organization, the Office of Legal Affairs delivers advice to the Secretary-General, Secretariat departments and offices and United Nations organs on questions relating to the interpretation and application of the Charter of the United Nations, legal agreements and United Nations resolutions, rules and regulations, as well as on general questions of public and private law. This function has been essential to ensure a uniform and consistent practice of law within the Organization and, subsequently, the effective functioning of the principal and subsidiary organs of the United Nations, as well as to protect the legal interests of the Organization.

As one of the oldest departments in the Secretariat, the Office's activities also encompass diverse actions and mandates, such as those related to oceans and the law of the sea, international trade, international treaties and agreements, peacekeeping and special political missions, international tribunals, sanctions, privileges and immunities, contracts, procurement and administrative and management issues.

By undertaking the depositary functions of the Secretary-General for around 600 multilateral treaties, the Office ensures wider awareness of and participation in treaties concluded under the auspices of the United Nations and deposited with the Secretary-General. It also continues to guarantee the transparency of the international treaty framework by fulfilling the mandate conferred on the Secretariat under Article 102 of the Charter, as exemplified by the registration and publication of approximately 2,000 treaties and treaty actions per year.

Through the substantive servicing of the International Law Commission and the Sixth Committee of the General Assembly, several General Assembly processes on oceans and the law of the sea and the Commission on the Limits of the Continental Shelf, among other bodies, the Office also plays a key role in the progressive development and codification of international law, including the negotiation of past major multilateral treaties in the areas of the law of the sea, diplomatic and consular relations, international criminal law and the legal measures to eliminate international terrorism.

The activities of the Office under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law ensure the legal training of professionals from developing countries and countries with emerging economies. The United Nations Audiovisual Library of International Law takes full advantage of technological tools to ensure that its users across the world have access to a unique resource comprising documents and lectures by leading international law scholars and practitioners from different regions, legal systems and cultures. The Office's capacity-building programmes and projects in the field of ocean affairs and the law of the sea contribute significantly to enhancing knowledge and skills of government officials and other ocean professionals from developing States.

The Office's advice and support are essential to the various current intergovernmental processes in the United Nations, including the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction and the 2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

Comprising a culturally diverse, gender-balanced staff with expertise in a wide variety of legal backgrounds, the Office remains committed to fulfilling its mandated tasks while facing new challenges resulting from a rapidly evolving international legal environment, such as those related to topics including environmental protection, sea-level rise, data protection, cybersecurity and electronic commerce.

(Signed) Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs and
United Nations Legal Counsel

A. Proposed programme plan for 2021 and programme performance for 2019

Overall orientation

Mandates and background

- 8.1 The Office of Legal Affairs is responsible for providing a unified central legal service for the Organization; represents the Secretary-General in legal conferences and in judicial proceedings; performs substantive and secretariat functions for legal organs involved in public international law, including the Sixth Committee of the General Assembly, the International Law Commission and in the areas of the law of the sea and ocean affairs and international trade law; and performs the depositary functions of the Secretary-General for multilateral treaties and the functions of registration and publication of treaties conferred on the Secretariat under Article 102 of the Charter of the United Nations. The structure and main functions of the Office are described in Secretary-General's bulletin [ST/SGB/2008/13](#). The mandate derives from Article 13 of the Charter and the priorities established in relevant General Assembly resolutions, including resolution [13 \(I\)](#) of 13 February 1946, as the central legal service for the Organization (including funds and programmes and treaty bodies institutionally linked to the Organization).
- 8.2 As set out in the terms of reference for the work of UN-Oceans, approved by the General Assembly in its resolution [68/70](#) on oceans and the law of the sea, the United Nations Legal Counsel/Division for Ocean Affairs and the Law of the Sea is the focal point of UN-Oceans, the United Nations inter-agency mechanism for cooperation and coordination on oceans and coastal issues. UN-Oceans currently has 28 members, including competent international organizations as identified in the United Nations Convention on the Law of the Sea, specialized agencies, United Nations programmes, regional commissions, secretariats of conventions and the International Seabed Authority. Furthermore, the Legal Counsel has been appointed Secretary-General of the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, and Special Adviser on oceans and legal matters to the Presidents of the 2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, as requested by the Assembly in its resolution [73/292](#).

Strategy and external factors for 2021

- 8.3 The relevance of the services of the Office of Legal Affairs has grown in an increasingly interconnected world, in which international law is the foundation for Member States to interact and cooperate in achieving their common goals. The Office has a diverse, complex mandate and responds to the needs of its stakeholders and beneficiaries with a specialized legal skill set, institutional memory, credibility and neutrality.
- 8.4 As a rules-based organization that was founded on a legal instrument, respect for and adherence to public international law remains at the base of the daily activities of the United Nations. The Office of Legal Affairs will continue to respond to the increasing demand for legal services from the Secretariat and other United Nations organs, including through the provision of advice on questions relating to the interpretation and application of international law instruments and on general questions of public international law, to ensure that legal considerations are an integral part of the Organization's operations and therefore result in the effective functioning of its principal and subsidiary organs. The Office will also continue to promote and strengthen the further development of international justice and accountability, and support with legal advice the process of reform initiated by the Secretary-General.

- 8.5 The Office has placed a focus on contributing to the efforts to combat sexual exploitation and abuse, whether committed by United Nations personnel or by non-United Nations security forces operating under a United Nations mandate, and assumes an important role in the Organization's action to improve its response to such allegations and in its efforts to hold accountable such personnel who may have engaged in sexual exploitation and abuse. To that end, the Office has taken a series of practical steps to ensure that the Organization refers credible allegations of potentially criminal acts of sexual exploitation and abuse to national authorities expeditiously and cooperates promptly and effectively with national authorities investigating such potential crimes. The Office is at the forefront of the system-wide action to strengthen the Organization's measures for addressing sexual exploitation and abuse.
- 8.6 The Office is committed to supporting Member States in the implementation of the 2030 Agenda for Sustainable Development and will continue to be a key partner in the efforts of the United Nations system in the context of the decade of action and delivery for sustainable development. Through its recently created Sustainable Development Goals working group, the Office will continue to systematically review and assess whether it is fit for purpose in supporting the Sustainable Development Goals and will continue to integrate all relevant Goals into its work programme.
- 8.7 In recognition of the positive impact of the removal of legal obstacles to international trade on progress in achieving the Sustainable Development Goals, the Office's strategy will continue to promote harmonized and modernized substantive rules of private international law to govern international commercial transactions, in particular by ensuring the widespread adoption and use of those rules, strengthening technical cooperation and promoting the participation of developing countries in the law-making activities of the United Nations Commission on International Trade Law (UNCITRAL) (A/74/16, para. 121). Similarly, the Office will continue to support Member States in the research, preparation and drafting of universally acceptable legislative and non-legislative texts, such as treaties, model laws, legislative guides and recommendations related to the modernization and harmonization of international trade law, ensuring quality and consistency in the provision of that support.
- 8.8 The Office is committed to the progressive development and codification of international law and the conclusion of legal instruments resulting in the promotion of universal respect for international law. The Office will continue to provide specialized substantive support to the Sixth Committee of the General Assembly, the International Law Commission and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as well as other special or ad hoc committees, and to diplomatic conferences, in its consideration and formulation of legal instruments.
- 8.9 Regarding the important processes related to oceans and the law of the sea, the Office will continue to support the increased participation of States in, and effective implementation and application of, the United Nations Convention on the Law of the Sea and its implementing agreements, as well as the implementation of the ocean-related Sustainable Development Goals, in particular by providing secretariat functions to the ocean-related processes of the General Assembly and the Commission on the Limits of the Continental Shelf. The Office plans to deliver expanded capacity-building activities on this topic, including through activities focused on meeting the capacity-building needs of developing countries.
- 8.10 The Office will continue to strengthen its monitoring and evaluation efforts. The creation in 2019 of the Evaluation and Strategic Planning Unit ensures direct reporting in the strengthening of the monitoring and self-evaluation practices, the review of performance and the implementation of the Office's workplans and efforts in this regard. The work of the Unit is supported by an evaluation working group to strengthen the self-evaluation efforts within the subprogrammes, including the systematic and periodic assessment of stakeholder feedback. Similarly, the creation of a working group on the Sustainable Development Goals ensures an all-of-Office approach in support of the implementation of the 2030 Agenda and the attainment of the objectives of the subprogrammes at the start of the decade of action.

- 8.11 The Office will intensify the use of technological tools and other means to maximize the delivery of its work related to treaties and treaty actions, achieving a timely registration and publication process as well as broad accessibility through its dedicated website. The Office's strategy will strengthen the dissemination of international law through the lectures of the United Nations Audiovisual Library of International Law, as well as the preparation and dissemination of major legal publications and of information on the legal work of the United Nations.
- 8.12 With regard to the external factors, the overall plan for 2021 is based on the following planning assumptions:
- (a) Extrabudgetary resources are available to allow the Office to respond to the increased demand for its services and to complement the programme budget;
 - (b) Principal and subsidiary organs of the United Nations continue to request legal advice as a main component of the decision-making process;
 - (c) Specific mandates related to international trade law, oceans and law of the sea and other areas are renewed or confirmed by the competent intergovernmental bodies.
- 8.13 The Office incorporates a gender perspective into its programme of work, including in the advice it provides, and integrates a gender perspective in its operational activities, deliverables and results, as appropriate. Gender focal points are consulted on the integration of gender aspects relevant to the work of the subprogrammes, in particular in capacity-building activities and in the context of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.
- 8.14 With regard to cooperation with other entities, subprogramme 3 will continue to enable the International Law Commission to exchange knowledge, experience and ideas with the President of the International Court of Justice, the African Union Commission on International Law, the Inter-American Juridical Committee, the Asian-African Legal Consultative Organization and the Council of Europe Committee of Legal Advisers on Public International Law. The Office, through its International Trade Law Division, assists international development agencies, such as the World Bank, to use UNCITRAL texts in their law reform activities and projects. It also provides advice and assistance to international organizations, such as professional associations, organizations of attorneys, chambers of commerce and arbitration centres.
- 8.15 With regard to inter-agency coordination and liaison, the Office was appointed by the General Assembly in its resolution [68/70](#) as focal point of UN-Oceans, the United Nations inter-agency mechanism for cooperation and coordination in oceans and coastal issues. UN-Oceans currently has 28 members, including competent international organizations as identified in the United Nations Convention on the Law of the Sea, specialized agencies, United Nations programmes, regional commissions, secretariats of conventions and the International Seabed Authority.
- 8.16 Subprogramme 6 has very active cooperation with Member States, specialized agencies, United Nations programmes and offices, treaty bodies and other entities on the law of treaties to promote and ensure wider knowledge of the law of treaties, which helps to prevent issues of interpretation and implementation of treaty provisions by contracting States. Past examples include cooperation with the secretariat of the United Nations Framework Convention on Climate Change and with the Economic Commission for Latin America and the Caribbean.

Legislative mandates

8.17 The list below provides all mandates entrusted to the programme.

Charter of the United Nations

Article 13 Article 102

Article 98

General Assembly resolutions

13 (I) Organization of the Secretariat

Deliverables

8.18 Table 8.1 lists all cross-cutting deliverables, by category and subcategory, for the period 2019–2021.

Table 8.1

Cross-cutting deliverables for the period 2019–2021, by category and subcategory

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	3	8	8	6
1. Report and notes to the General Assembly	2	3	2	3
2. Report of the Committee on Relations with the Host Country	1	1	1	1
3. Letters to the Security Council	–	4	2	2
4. Documents for the intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction	–	–	3	–
Substantive services for meetings (number of three-hour meetings)	3	4	9	10
5. Meetings of the Advisory Committee on Administrative and Budgetary Questions	1	1	1	1
6. Meetings of the Committee for Programme and Coordination	1	1	1	1
7. Meetings of the Fifth Committee	1	1	1	1
8. Meetings of the Committee on Relations with the Host Country	–	–	2	2
9. Meetings of the International Law Commission	–	–	1	1
10. Meetings of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	–	1	1	2
11. Annual meeting of the legal advisers and legal liaison officers of the United Nations offices, funds and programmes, specialized agencies and related and other organizations, and field legal advisers and officers	–	–	2	2
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	–	–	8	8
12. United Nations Regional Course in International Law for Asia-Pacific	–	–	2	2
13. United Nations Regional Course in International Law for Latin America and the Caribbean	–	–	2	2

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
14. United Nations Regional Course in International Law for Africa	–	–	2	2
15. Workshops on international law generally	–	–	2	2

C. Substantive deliverables

Consultation, advice and advocacy: advice and legal opinions are delivered in the context of the participation of the Legal Counsel in the Senior Management Group, the Executive Committee and other ad hoc groups.

D. Communication deliverables

Outreach programmes, special events and information materials: speeches and presentations by the Legal Counsel to Member State representatives, international organizations and academic and civil society organizations regarding the work of the Office and issues of public international law, the law of the sea and international trade law; promotion and leadership of the annual treaty event during the opening plenary meeting of the General Assembly session; and events to promote international law in New York, including the American Bar Association Day and International Law Weekend.

Library services: ensuring that the materials for the United Nations Audiovisual Library of International Law, including the lectures delivered by leading international law scholars and practitioners, are regionally diverse and linguistically diverse among the six official languages of the United Nations.

E. Enabling deliverables

Internal justice and oversight: representation of the Secretary-General before the United Nations Appeals Tribunal and advice on administrative law of the Organization.

Legal services: legal advice, opinions and services to all principal and subsidiary organs of the United Nations, as detailed in the subprogrammes, on privileges and immunities, public international law, humanitarian law, international human rights law and the pacific settlement of disputes; administrative law of the Organization; claims arising from operational activities of the Organization; procurement activities; and the Organization’s accountability measures and the areas of oceans and law of the sea, treaty law and international trade law.

Evaluation activities

- 8.19 At its fifty-ninth session, in 2019, the Committee for Programme and Coordination recommended that the General Assembly endorse the recommendations made by the Office of Internal Oversight Services (OIOS) in its evaluation of the Office of Legal Affairs (A/74/16, para. 554). The evaluation covered all areas of the work of the Office of Legal Affairs for the period from 2015 to 2018 and assessed relevance, effectiveness, efficiency and cross-cutting issues.
- 8.20 As a result of the recommendations by OIOS, endorsed by the General Assembly in its resolution 74/251, the Evaluation and Strategic Planning Unit was created in 2019 to ensure a continuous effort on monitoring and evaluation within the Office of Legal Affairs, supported by an evaluation working group to strengthen the self-evaluation efforts within the subprogrammes, including the systematic and periodic assessment of stakeholder feedback.
- 8.21 The Evaluation and Strategic Planning Unit also ensures that standards, best practices and recommendations on monitoring and evaluation, including those related to gender equality and on integrating human rights, are taken into account. The Office became an observer member of the United Nations Evaluation Group in 2019 and has participated in its work since then.
- 8.22 In addition, the self-evaluation of subprogramme 5, which assessed the technical cooperation and assistance in supporting the adoption and use of UNCITRAL texts for 2019, has guided the programme plan for 2021.
- 8.23 The findings of the evaluation referenced above have been taken into account for the programme plan for 2021 and are part of the sharing of best practices in monitoring and evaluation through the Office’s internal working group. In particular, there was a need to improve feedback from beneficiaries on the delivery of the technical cooperation and assistance activities to demonstrate a clear link between actions and beneficiary needs. This will result in the building of a monitoring function in technical assistance programmes to allow for systematic follow-up, including through networks of participants of capacity-building activities.

- 8.24 For 2021, the programme is planning to undertake a self-evaluation of subprogramme 6, on the publication of treaties conferred on the Secretariat under Article 102 of the Charter.

Programme of work

Subprogramme 1

Provision of legal services to the United Nations system as a whole

Objective

- 8.25 The objective, to which this subprogramme contributes, is to ensure respect for, and adherence to, public international law, and contribute to the development of international justice and accountability.

Strategy

- 8.26 To contribute to ensuring respect for, and adherence to, public international law, the subprogramme will provide legal advice on questions relating to the interpretation and application of the Charter of the United Nations, legal agreements, United Nations resolutions, and rules and regulations of the United Nations, as well as on general questions of public international law, including international human rights law, international humanitarian law and international criminal law. This work is expected to result in a uniform and consistent practice of the law, and subsequently in the effective functioning of the principal and subsidiary organs of the United Nations in accordance with international law. Past results in this area include the protection of the privileges and immunities of the United Nations; the provision of legal support to amend the tripartite agreement for the provision of support to the regional force of the States members of the Group of Five for the Sahel; and the provision of legal and procedural advice at United Nations meetings and conferences, such as the United Nations Climate Change Conference held in Madrid within the context of the twenty-fifth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the second High-level United Nations Conference on South-South Cooperation, held in Buenos Aires.
- 8.27 To contribute to the development of international justice and accountability, the subprogramme will provide advice to the United Nations and United Nations-assisted criminal tribunals and their oversight bodies, as well as to other non-judicial criminal accountability mechanisms, including on their founding arrangements, statutes, terms of reference and rules of procedure, and on the Secretary-General's functions thereunder. This work is expected to result in the effective functioning of these tribunals and non-judicial criminal accountability mechanisms and their oversight bodies. Past results in this area include the provision of advice on the statutes and rules of procedure for United Nations and United Nations-assisted international criminal tribunals; the appointment and reappointment of their principals; the drafting of terms of reference and the appointment of the heads for the operationalization of non-judicial accountability mechanisms; and cooperation with the International Criminal Court.

Programme performance in 2019 against planned result

- 8.28 A planned result for 2019, which is the effective functioning of the principal and subsidiary organs of the United Nations in accordance with international law, including the United Nations legal regime, and supporting international justice mechanisms, as mandated, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by 1,554 pieces of advice on questions relating to the interpretation and application of the Charter of the United Nations, legal agreements, United Nations resolutions and general questions of public international law to

ensure uniform and consistent practice of the law provided in 2018 and 1,600 pieces of advice provided in 2019, against the planned result of 3,154 for the biennium.

Programme performance in 2019: launch of an e-credentials system to provide for a transparent, easier and more efficient submission process

- 8.29 The subprogramme has continued to service the Credentials Committee of the General Assembly and United Nations conferences.
- 8.30 The submission of credentials by States is a crucial aspect of the participation of their designated representatives in United Nations conferences or sessions of the General Assembly, and late or irregular submission of credentials can impact on such participation. The subprogramme launched the e-Credentials module on the e-deleGATE platform; the module is designed to facilitate the submission of credentials in a timely manner by participating States, both for the conference and for the seventy-fourth session of the General Assembly, in accordance with its rules of procedure. Prior to the operationalization of the e-Credentials module, scanned copies of the credentials required for participation by Member States in a conference or in sessions of the General Assembly would be sent by email, or originals would be hand-delivered to various offices and individuals in the Secretariat, sometimes not reaching the relevant staff of the Office of Legal Affairs for days. The module now standardizes the means by which permanent missions can submit a scanned copy of the credentials, and these credentials are now reviewed more quickly through an internal notification system. The module also allows other relevant offices within the Secretariat that may need to look at the credentials to do so on the platform rather than having to seek the credentials in person. After a permanent mission uploads a scanned copy of the credentials onto the e-Credentials module, the permanent missions can see the date of submission and, where necessary, upload additional documents. The document will remain available on the module in case it needs to be consulted for any reason. The module also allows permanent missions to designate focal points with whom the subprogramme may communicate. Briefings were given to Member States on several occasions concerning the launch to ensure a smooth transition. The platform will be used going forward for all General Assembly sessions and United Nations conferences.

Progress towards the attainment of the objective, and performance measure

- 8.31 This work contributed to respect for, and adherence to, public international law and relevant rules and procedures for sessions of the General Assembly and United Nations conferences, as demonstrated by the successful launch of the e-Credentials system, which enhanced the operations and work of the Credentials Committee, including the examination of the credentials of representatives of Member States and the report to the General Assembly or the relevant conference.
- 8.32 The launch and implementation of the e-Credentials system has further made it easier and more efficient for the submission and review of and access to the credentials of Member States for sessions of the General Assembly and United Nations conferences through the creation of a centralized system that various offices in the Secretariat can access. It has strengthened the transparency of the process, including by addressing questions and concerns raised by Member States and allowing Member States greater certainty regarding the status of their credentials. Moreover, the system has greatly facilitated the work of the Credentials Committee.

Table 8.2
Performance measure

2015	2016	2017	2018	2019
No centralized electronic system for submitting credentials; credentials submitted to various offices by various means, including email, fax and in person	No centralized electronic system for submitting credentials; credentials submitted to various offices by various means, including email, fax and in person	No centralized electronic system for submitting credentials; credentials submitted to various offices by various means, including email, fax and in person	Research and discussions on possibility of an e-credentials system	Successful launch of the e-Credentials system, which ensures proper representation in intergovernmental bodies through a more efficient submission and review process, as well as access to credentials of Member States, facilitating the work of the Credentials Committee in reviewing credentials, addressing concerns raised by Member States and making recommendations to the General Assembly

Planned results for 2021

Result 1: creating the authorizing environment for the reinvigorated resident coordinator system (result carried over from 2020)

- 8.33 The subprogramme will continue the work related to the negotiation and conclusion of host country agreements, in line with its mandate, and will assist the United Nations system to perform its work and implement its mandates in an efficient and effective manner, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.3
Performance measure

2017	2018	2019	2020	2021
N/A	Absence of host country agreements for reinvigorated resident coordinator system	Negotiation and conclusion of host country agreements	149 host country agreements signed, providing the legal framework necessary for the resident coordinators and their offices to perform their functions and to ensure their privileges and immunities	Signing of all host country agreements that were not finalized in 2020

Abbreviation: N/A, not applicable.

Result 2: host country agreement for the Fifth United Nations Conference on the Least Developed Countries (new result)

- 8.34 In its resolution [74/232](#), the General Assembly decided to convene the Fifth United Nations Conference on the Least Developed Countries in Doha from 21 to 25 March 2021. The Conference is expected to undertake a comprehensive review and appraisal of the implementation of the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011–2020 in each least developed country. It will also share best practices, lessons learned and constraints encountered and come up with a new 10-year strategy for enabling the least developed countries to graduate from that category and meet the Sustainable Development Goals, building on a solid foundation of national ownership and leadership and a reinvigorated global partnership for sustainable development. In the resolution, the Assembly stressed the importance of the effective participation of all relevant stakeholders, including civil society and the private sector.
- 8.35 The previous Conference, held in 2011, was attended by approximately 9,000 participants, including 36 Heads of State or Government, ministers, parliamentarians and heads of United Nations system entities and other international organizations, as well as more than 1,500 civil society representatives and 500 business leaders. The Fifth Conference is expected to be of the same magnitude.
- 8.36 The subprogramme will be responsible for ensuring that the necessary legal framework is adopted prior to the holding of the Conference in March 2021. The subprogramme will engage in consultations and negotiations with the Government of Qatar to negotiate an appropriate host country agreement for the Conference. Without the necessary legal framework, questions may arise as to who may be granted a visa to enter Qatar for the purposes of the Conference, who is responsible for the various security aspects of the Conference, who is responsible for the various financial and logistical aspects of the Conference and who may benefit from privileges and immunities for the Conference. By negotiating the necessary legal framework, the subprogramme can ensure full participation by all participants, including those from civil society and the private sector; that there is an appropriate framework for the United Nations to ensure security for the Conference; and that any financial liabilities of the United Nations with respect to the Conference are minimized in accordance with relevant General Assembly resolutions.

Internal challenge and response

8.37 The challenge for the subprogramme was in concluding agreements for large conferences within the timelines envisaged by the substantive offices for various reasons, including the delayed commencement of negotiations, the need to ensure that technical annexes were completed before the signing of the host country agreement and other legal requirements. In response, with respect to this host country agreement, the subprogramme intends to take a more proactive approach to engage earlier in discussions with the substantive office regarding requirements to meet envisaged timelines and possible legal issues that might affect the timelines, and how to address those issues.

Expected progress towards the attainment of the objective, and performance measure

8.38 This work is expected to contribute to respect for, and adherence to, public international law through the adoption of the requisite legal framework for the Conference, which would be demonstrated by the conclusion of the necessary host country agreement signed between the United Nations and Qatar in relation to the Conference in 2021.

Table 8.4
Performance measure

2017	2018	2019	2020	2021
N/A	N/A	General Assembly decides to hold the Fifth United Nations Conference on the Least Developed Countries in Doha from 21 to 25 March 2021	The Government of Qatar and the subprogramme agree on the legal provisions of the host country agreement for the holding of the Fifth United Nations Conference on the Least Developed Countries in Doha	Signature of the host country agreement allowing for full participation by all participants in the Fifth United Nations Conference on the Least Developed Countries in Doha

Abbreviation: N/A, not applicable.

Legislative mandates

8.39 The list below provides all mandates entrusted to the subprogramme.

Charter of the United Nations

Article 104

Article 105

General Assembly resolutions

22 (I)

Privileges and immunities of the United Nations

personnel and establishment of the Committee on Relations with the Host Country

2819 (XXVI)

Security of missions accredited to the United Nations and safety of their

Deliverables

8.40 Table 8.5 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.5
Subprogramme 1: deliverables for the period 2019–2021, by category and subcategory

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	7	12	11	7
1. Report and notes to the General Assembly	2	3	2	3
2. Report of the Credentials Committee	1	1	1	1
3. Report of the Committee on Relations with the Host Country	1	1	1	1
4. Reports of the Credentials Committee on United Nations conferences	3	3	2	2
5. Reports concerning the election of judges of the International Court of Justice	–	–	3	–
6. Letters to the Security Council	–	4	2	–
Substantive services for meetings (number of three-hour meetings)	83	99	85	76
7. Meetings of the General Assembly and its committees	25	46	25	26
8. Meetings of the Credentials Committee of the General Assembly	1	1	1	1
9. Meetings of the Security Council and its subsidiary bodies	9	2	9	2
10. Meetings of the Economic and Social Council and its commissions	10	16	10	10
11. United Nations conferences and meetings of United Nations treaty bodies	30	25	30	30
12. Meetings of the Credentials Committee on United Nations conferences	3	3	3	2
13. Meetings of the Committee on Relations with the Host Country	5	5	5	5
14. Meetings of the panels of experts of the Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice	–	1	2	–
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	19	30	19	20
15. Workshops on international law matters	2	13	2	4
16. Training events on United Nations rules of procedure	7	5	7	5
17. Training events on peacekeeping matters	3	5	3	4
18. Annual meeting of the legal advisers and legal liaison officers of the United Nations offices, funds and programmes, specialized agencies and related and other organizations and field legal advisers and officers	7	7	7	7
Publications (number of publications)	2	4	–	–
19. Publications on international law	2	4	–	–
C. Substantive deliverables				
Consultation, advice and advocacy: legal advice and consultation with the General Assembly and the Security Council on constitutional, institutional and procedural questions; legal advice and consultation with the United Nations funds and programmes on privileges and immunities; legal advice and consultation with United Nations-assisted international criminal tribunals; consultation with the specialized agencies of the United Nations system on legal issues; and consultation with the International Criminal Court on cooperation matters.				
D. Communication deliverables				
Outreach programmes, special events and information materials: speeches and presentations by the Legal Counsel to Member State representatives, international organizations and academic and civil society organizations regarding the work of the Office and issues of public international law; and events to promote international law in New York, including of the American Bar Association.				

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
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E. Enabling deliverables

Legal services: legal advice and support to the Secretariat on privileges and immunities and public international law, including humanitarian law, international human rights law and pacific settlement of disputes; legal advice and support to United Nations criminal tribunals and their oversight bodies as well as other international accountability mechanisms and commissions of inquiry; legal advice and support to peacekeeping and special political missions; liaison with the International Court of Justice and fulfilment of the responsibilities of the Secretary-General under the Statute of the Court; legal advice and support to the Secretariat on disarmament, sanctions and security; legal advice on the interpretation and enforcement of the Relationship Agreement between the United Nations and the International Criminal Court; and coordination of meetings of system-wide legal advisers.

Subprogramme 2 General legal services provided to United Nations organs and programmes

Objective

- 8.41 The objective, to which this subprogramme contributes, is to maximize the protection of the legal interests of the Organization and to minimize the legal liabilities of the Organization.

Strategy

- 8.42 To contribute to maximizing the protection of the legal interests of the Organization, the subprogramme will advise on accountability measures, including in relation to internal sanctions and external enforcement action and liaison with national authorities, advise on the legal aspects of the operational activities of the United Nations and its peacekeeping, humanitarian and other missions, represent the Secretary-General and advise on matters in the system for the administration of justice of the Organization, advise on administrative and management issues, advise on procurement and the review of substantial contracts, and advise on operational issues arising from the development and technical assistance activities of the United Nations, including those undertaken by the separately administered funds and programmes. This work is expected to result in the full maintenance of the status, legal rights and privileges and immunities of the Organization. Past results in these areas include the representation of the Secretary-General's prerogatives and authorities in the system for the administration of justice and the conclusion of a number of legal arrangements with Governments, other United Nations entities, other international organizations, other actors, commercial vendors and not-for-profit entities in support of operations in the field and at Headquarters. Other past results include the referral of 100 per cent of appropriate cases to national authorities and the provision, in every case, of assistance to investigations and prosecutions concerning fraud, corruption or other misconduct or crimes of United Nations officials and third parties.
- 8.43 To contribute to minimizing the legal liabilities of the Organization, the subprogramme will provide legal services for resolving disputes of a private law character involving the operations of the Organization, its organs or its separately administered funds and programmes; settling or otherwise amicably resolving such disputes; representing the Organization in settlement negotiations and arbitral proceedings to meet the Organization's legal obligations to provide an appropriate mode of settlement; and representing the Secretary-General before the United Nations Appeals Tribunal in cases involving the Secretariat and separately administered funds and programmes.
- 8.44 This work is expected to result in the reduction of actual legal liability for the Organization. As described below, in 2019 there was a substantial reduction of the actual legal liability of the Organization concerning contractual and other private law claims against the Organization, from an aggregate amount of \$16.2 million to just over \$2 million, which is 13 per cent of the amounts

originally claimed against the Organization. The reduction was due to the successful resolution of disputes by way of settlement negotiations and arbitral proceedings and the closure of matters as the result of claimants not pursuing their claims further against the Organization, resulting in the actual legal liability being less than the targeted 35 per cent of the amounts originally claimed against the Organization.

Programme performance in 2019 against planned result

- 8.45 A planned result for 2019, which is maximization of the protection of the legal interests of the Organization, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by the absence of instances in which, unless waived, the status and privileges and immunities of the Organization are not maintained. There were no final actions by Member States that were inconsistent with the Organization’s status, privileges and immunities.

Programme performance in 2019: actual legal liability significantly reduced

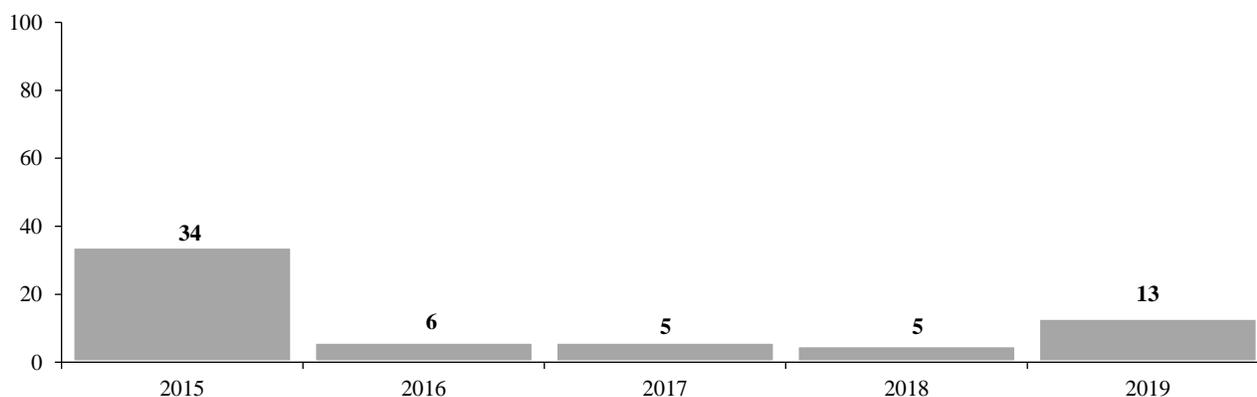
- 8.46 In 2019, the United Nations faced a number of contractual or other private law claims arising from operations in the field and at Headquarters. The subprogramme provided legal assistance to reduce the actual legal liability of the Organization. The value of claims against the Organization, in the aggregate, amounted to \$16.2 million by year end. The subprogramme aims to keep the amount of actual liabilities below 35 per cent of the amounts originally claimed. Notwithstanding the claims that were closed in 2019, there remained claims in the aggregate amount of \$134 million against the Organization that continued to be resolved by way of amicable settlements and arbitral proceedings.
- 8.47 In addition, through successful appeals to the United Nations Appeals Tribunal, the subprogramme reduced the compensation awarded by the United Nations Dispute Tribunal in judgments arising from operations in the field and at Headquarters by \$573,019.
- 8.48 The subprogramme achieved the results shown in figure 8.I by providing timely and effective legal advocacy and support to Secretariat units and offices at and away from Headquarters, United Nations funds and programmes, regional commissions and other subsidiary organs. This work included reviewing and providing comments or advice, written and oral, and effectively negotiating with claimants and their lawyers on contractual and other private law claims. When required, the subprogramme effectively represented the Organization in arbitral proceedings to favourably resolve claims.

Progress towards the attainment of the objective, and performance measure

- 8.49 This work contributed to minimizing the legal liabilities of the Organization, as demonstrated by no more than 35 per cent of the amounts originally claimed against the Organization resulting in actual legal liability against the Organization from 2015 to 2019.

Figure 8.I
Performance measure: resulting actual legal liability of the Organization against the amounts originally claimed against the Organization^a

(Percentage)



^a Only claims resolved in any given calendar year by way of settlement negotiations, arbitral proceedings and closure owing to claimants not pursuing their claims further against the Organization are included.

Planned results for 2021

Result 1: reduction of actual legal liability of other claims (result carried over from 2020)

- 8.50 The subprogramme will continue to advise on procurement and the review of substantial contracts, which includes the development of model contracts for de minimis requirements of goods and services, in line with its mandate. The use of these model contracts seeks to minimize the risk of legal liability against the Organization, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.6
Performance measure

2017	2018	2019	2020	2021
N/A	Absence of model contracts for de minimis requirements of goods and services	Development of model contracts for de minimis requirements of goods and services in consultation with managers	Model contracts for de minimis requirements of goods and services used by managers and feedback received	Strengthened contracts following revisions made on the basis of experience gained from the use of such model contracts

Abbreviation: N/A, not applicable.

Result 2: continued reduction of actual legal liability of the Organization (new result)

- 8.51 The subprogramme provides legal services for resolving disputes of a private law character involving the operations of the Organization, its organs or its separately administered funds and programmes.

- 8.52 The United Nations has immunity from legal process before national courts pursuant to the Convention on Privileges and Immunities of the United Nations of 1946. The Convention requires the United Nations to make provisions for appropriate modes of settlement of disputes arising out of contracts or other disputes of a private law character to which the United Nations is a party. As a result, the contracts entered into by the Organization with its commercial vendors and personnel service providers provide for the resolution of disputes by way of ad hoc arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law.
- 8.53 To reduce the risk of potential liability in arbitration proceedings initiated by commercial vendors, the subprogramme typically engages outside counsel with specialist expertise in international commercial arbitration to assist in defending the Organization in such proceedings.

Internal challenge and response

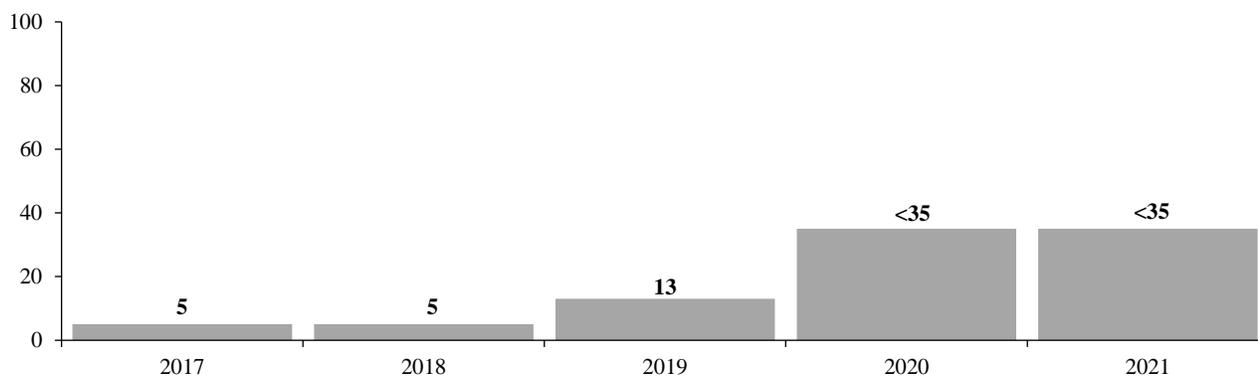
- 8.54 The challenge for the subprogramme was the timely engagement of outside counsel by way of competitive solicitation within the strict 30-day deadline for the Organization to respond to notices of arbitration under the UNCITRAL Arbitration Rules. In response, the subprogramme will procure the services of multiple law firms with specialist expertise in international commercial arbitration to be on standby and available to immediately assist in taking the necessary steps to defend the Organization, when the need arises.

Expected progress towards the attainment of the objective, and performance measure

- 8.55 This work is expected to contribute to maximizing the protection of the legal interests of the Organization and to minimizing the legal liabilities of the Organization, which would be demonstrated by the maintenance of no more than 35 per cent of the amounts originally claimed against the Organization resulting in actual legal liability against the Organization.

Figure 8.II
Performance measure: actual legal liability of the Organization against amounts originally claimed against the Organization^a

(Percentage)



^a Only claims resolved in any given calendar year by way of settlement negotiations, arbitral proceedings and closure owing to claimants not pursuing their claims further against the Organization are included.

Legislative mandates

- 8.56 The list below provides all mandates entrusted to the subprogramme.

Charter of the United Nations

Article 104

Article 105

General Assembly resolutions

22 (I)	Privileges and immunities of the United Nations	70/112	Administration of justice at the United Nations
62/63	Criminal accountability of United Nations officials and experts on mission		

Deliverables

8.57 Table 8.7 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.7

Subprogramme 2: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory

E. Enabling deliverables

Internal justice and oversight: legal services to all principal and subsidiary organs of the United Nations, consisting of: representation of the Secretary-General before the United Nations Appeals Tribunal and advice on administrative law of the Organization; representation of the Organization before arbitral tribunals and advice on claims arising from operational activities of the Organization; advice on procurement activities and on the preparation and negotiation of substantial contracts for the acquisition of goods or services for United Nations operations; advice on the Organization’s accountability measures in relation to both internal sanctions and external enforcement actions against United Nations officials, experts on mission and third parties for fraud, corruption and other wrongdoing; advice on development, technical and humanitarian assistance activities, including partnerships with the private sector, and preparation of legal instruments; and advice on logistical and other support arrangements with Governments, other international organizations, partners and United Nations entities, including on the establishment of boards of inquiry, participation in peacekeeping-related standing committees and training, and the development of policies, reports, framework agreements, guidelines and standard operating procedures.

**Subprogramme 3
Progressive development and codification of international law**

Objective

8.58 The objective, to which this subprogramme contributes, is to progressively develop, codify and advance knowledge of international law.

Strategy

8.59 To contribute to the progressive development and codification of international law, the subprogramme will continue to provide substantive support to the Sixth Committee (Legal Committee) of the General Assembly, the International Law Commission and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as well as other special or ad hoc committees, or to diplomatic conferences, in its consideration and formulation of legal instruments, in particular by assisting in the conduct of proceedings, rendering legal advice and preparing draft texts of legal instruments, resolutions and decisions, as well as background documents, analytical studies and reports. The subprogramme will also continue to provide legal bodies of the General Assembly with assistance when considering the status of relevant instruments, measures to facilitate the accession of States to such instruments or, as the case may be, the use by States of the procedures envisaged by the relevant resolutions of the General Assembly, which is expected to result in the smooth deliberations of legislative and legal bodies, the conclusion of draft legal instruments and the promotion of universal respect for international law. Past results

in this area include the successful adoption of several major multilateral treaties on foundational aspects of international law, including in the areas of the law of the sea, diplomatic and consular relations, the law of treaties, international criminal law and the legal measures to eliminate international terrorism. In recent times, such efforts have also included the successful development of non-binding instruments providing guidance on various technical aspects of international law of interest to States, such as reservations to treaties and the identification of customary international law. Other results include the preparation of several international law-related publications.

- 8.60 To contribute to the advancement of knowledge of international law, the subprogramme will continue to implement the mandates of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, established by the General Assembly. The activities executed by the subprogramme in the framework of the Programme of Assistance include the planning, organization and conduct of four in-person training programmes, namely, the International Law Fellowship Programme and the United Nations Regional Courses in International Law for Africa, for Latin America and the Caribbean and for Asia-Pacific; the further development, dissemination and maintenance of the United Nations Audiovisual Library of International Law, a virtual training and research centre available free of charge on the Internet; and the preparation and dissemination of major legal publications and of information on the legal work of the United Nations, which is expected to result in the wider appreciation of international law and more individuals being trained to obtain an understanding of it. Past results in this area, for the period 2016–2019, include greater awareness of international law as a result of the training of 401 professionals from developing countries and countries with emerging economies on a broad range of core subjects of international law by eminent scholars and practitioners in international law from different regions and legal systems, through the four in-person training programmes, as well as access to the Audiovisual Library by over 845,000 users in 193 Member States and non-member States.

Programme performance in 2019 against planned result

- 8.61 A planned result for 2019, which is wider appreciation and understanding of international law, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by the increased number of beneficiaries of the training and fellowship programmes, with 204 individuals participating in the International Law Fellowship Programme and the United Nations Regional Courses in International Law for Africa, for Latin America and the Caribbean and for Asia-Pacific during the biennium, against a target of 160 individual participants. Specifically, in 2019, 100 individual participants completed the in-person capacity-building programmes.

Programme performance in 2019: the International Law Commission finalizes draft articles to be considered as a basis for international conventions to be adopted by the General Assembly, including on the protection of persons in the event of disasters and prevention and punishment of crimes against humanity

- 8.62 The International Law Commission has advanced the codification and progressive development of international law through the elaboration of a number of texts and instruments addressing specific areas and topics of international law, some of which have subsequently served as a basis for multilateral treaties concluded under the auspices of the United Nations.
- 8.63 The subprogramme has served as the secretariat of the International Law Commission since its creation over 70 years ago. In such a capacity, the subprogramme has consistently provided extensive substantive and technical assistance to the Commission, in particular through the production of in-depth studies on specialized areas of international law, containing extensive analysis of State practice and recommendations for action, and through the provision of research assistance, substantive input and advice to the Commission's Special Rapporteurs. This was the case, for example, throughout the Commission's preparation of the draft articles on prevention and

punishment of crimes against humanity, which it concluded in 2019. The subprogramme prepared a number of in-depth research studies to inform the Commission’s work and assisted with substantive input to the drafting of the articles. The subprogramme, in its capacity as the secretariat of the Sixth Committee of the General Assembly, further serves as a key component in the institutional link between the International Law Commission and the General Assembly, which approves and, where appropriate, adopts the instruments developed by the Commission. Accordingly, the subprogramme is uniquely placed to contribute to the progressive development, codification and advancement of knowledge of international law. In relation to the draft articles on crimes against humanity, the subprogramme gave in-depth briefings to delegates to the Sixth Committee on the draft articles and organized similar briefings and informal exchanges with delegates by the Special Rapporteur for the topic.

Progress towards the attainment of the objective, and performance measure

8.64 This work contributed to the progressive development and codification of international law, as demonstrated by the conclusion of a new draft instrument in 2019, the draft articles on prevention and punishment of crimes against humanity. If adopted in the form of a treaty, it would establish a multilateral extradition and mutual legal assistance framework for cooperation in the prevention of the commission of crimes against humanity and punishment of its perpetrators, and would complement the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. The finalization of the draft articles on prevention and punishment of crimes against humanity represents an important moment in the progression of international criminal justice, since it would, if adopted, provide a basis for effective international cooperation in the prosecution of individuals who commit crimes against humanity.

Table 8.8
Performance measure

2015	2016	2017	2018	2019
<ul style="list-style-type: none"> • Governments comment on draft articles on the protection of persons in the event of disasters 	<ul style="list-style-type: none"> • International Law Commission adopts final text of the draft articles on the protection of persons in the event of disasters and recommends the elaboration of a convention; General Assembly decides to consider the recommendation in 2018 	<ul style="list-style-type: none"> • International Law Commission finalizes first reading of the draft articles on prevention and punishment of crimes against humanity and transmits them to Governments for comments 	<ul style="list-style-type: none"> • General Assembly decides to return to the consideration of the draft articles on the protection of persons in the event of disasters in 2020 	<ul style="list-style-type: none"> • International Law Commission adopts final text of draft articles on prevention and punishment of crimes against humanity and recommends the elaboration of a convention; General Assembly decides to consider the recommendation in 2020

2015	2016	2017	2018	2019
<ul style="list-style-type: none"> International Law Commission considers first report of the Special Rapporteur for the topic of crimes against humanity 	<ul style="list-style-type: none"> International Law Commission considers second report of the Special Rapporteur for the topic of crimes against humanity 		<ul style="list-style-type: none"> Governments comment on the draft articles on prevention and punishment of crimes against humanity 	

Planned results for 2021

Result 1: reaching a wider audience interested in international law (result carried over from 2020)

- 8.65 The subprogramme will continue the work related to the teaching, dissemination and wider appreciation of international law, in line with its mandate, and will undertake initiatives to help audiences to increase their access to and knowledge of core topics of international law, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.9
Performance measure

2017	2018	2019	2020	2021
N/A	Absence on the website of the Audiovisual Library of easily accessible modules on introductory international law topics for users with limited knowledge	Development and production of mini-series of lectures addressing core topics of international law	Use of mini-series of lectures addressing core topics of international law in video and podcast format, contributing to increased accessibility and knowledge of international law by a wider audience	Expansion of the mini-series of lectures on core topics of international law in terms of the subject matter addressed, thereby contributing to further increased accessibility and knowledge of international law

Abbreviation: N/A, not applicable.

Result 2: information relating to international law accessed by more than half a million people (new result)

- 8.66 Given the central role played by the United Nations in the promotion, progressive development and codification of international law, the provision of information on the Organization's international law-related activities is key to attaining the subprogramme's objective of advancing knowledge of international law.
- 8.67 Since the 1960s, the subprogramme has enjoyed a mandate to disseminate information relating to international law, in particular the activities of the legal bodies serviced by the subprogramme. This

was initially undertaken through the preparation of a number of publications, including the *United Nations Juridical Yearbook*, the *United Nations Legislative Series*, the *Reports of International Arbitral Awards*, the *Summaries of the Judgments, Advisory Opinions and Orders of the International Court of Justice*, the *Yearbook of the International Law Commission*, *The Work of the International Law Commission*, the *Repertory of Practice of United Nations Organs* and the official records of various diplomatic conferences of plenipotentiaries convoked by the General Assembly to negotiate multilateral treaties.

- 8.68 In recent times, the activities of the subprogramme in the dissemination of information related to international law have moved online through the establishment and expansion of over 20 websites. In addition to the United Nations Audiovisual Library of International Law, the subprogramme maintains dedicated websites for each of its publications, as well as for all of the legal bodies for which it serves as the secretariat, including the Sixth Committee of the General Assembly, the International Law Commission and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. While the websites are intended primarily for use by the States Members of the United Nations and entities of the United Nations system, they are also outward-looking in that they provide the general public and, in particular, academia with the tools for accessing information on the activities of the Organization in the progressive development and codification of international law. All of the websites contain extensive information and were specifically designed as research tools in their own right by providing, for example, full-text search capability and links to documents in all official languages of the United Nations (to the extent available). By providing anyone with Internet access anywhere in the world with the ability to research the entire corpus of the work of the legal bodies of the United Nations, the subprogramme seeks to enhance accessibility to information about, and knowledge of, international law.

Internal challenge and response

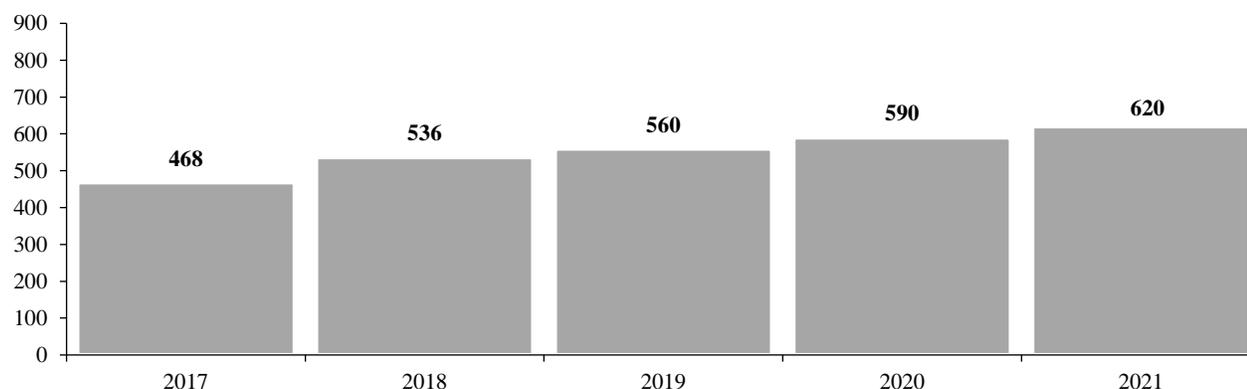
- 8.69 The challenge for the subprogramme was to maintain and sustain an extensive presence on the Internet over a prolonged period of time. One aspect of the challenge relates to the expectation of instantaneity of the availability of information. As Internet users have become increasingly accustomed to accessing information in real time, the perceived usefulness of a website is increasingly a function of how quickly and how frequently it is maintained. This poses unique challenges for the traditional model of providing information through publications typically prepared and issued several years after the fact. Another challenge is the sheer ubiquity of information on the Internet, which brings into question the purpose of publications such as the *United Nations Juridical Yearbook*, which were initially conceived with a view to providing the reader with access to information about the legal activities of the Organization that was typically hard to come by. Now, much of that information is relatively easy to find on the Internet. In response, the subprogramme will adapt its websites to include new technologies, such as by live video or audio web streaming the meetings of the legal bodies in question and developing and implementing a social media strategy for providing up-to-date information on developments taking place in the legal bodies. It will also expand its publications programme so as to include, in addition to hard copy publications, electronic publishing with a view to reducing the turnaround time for publication. Greater emphasis will also be placed on enhancing the “added value” provided by the process of systematization and selection of materials of particular significance to the legal community, undertaken by the subprogramme in planning and preparing future editions of the *United Nations Juridical Yearbook* and other publications.

Expected progress towards the attainment of the objective, and performance measure

- 8.70 This work is expected to contribute to the advancement of knowledge of international law, which would be demonstrated by an increase in the number of individual end users of the websites maintained by the subprogramme, from 590,000 in 2020 to 620,000 in 2021.

Figure 8.III
Performance measure: annual number of individual end users of websites

(Thousands of users)



Legislative mandates

8.71 The list below provides all mandates entrusted to the subprogramme.

General Assembly resolutions

174 (II)	Establishment of an International Law Commission	74/181	Criminal accountability of United Nations officials and experts on mission
487 (V)	Ways and means for making the evidence of customary international law more readily available	74/182	Report of the United Nations Commission on International Trade Law on the work of its fifty-second session
987 (X)	Publication of the documents of the International Law Commission	74/185	United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law
2099 (XX)	Technical assistance to promote the teaching, study, dissemination and wider appreciation of international law	74/186	Report of the International Law Commission on the work of its seventy-first session
3006 (XXVII)	<i>United Nations Juridical Yearbook</i>		
72/117	Expulsion of aliens	74/187	Crimes against humanity
72/122	Responsibility of international organizations	74/188	Diplomatic protection
73/204	Status of the Protocols Additional to the Geneva Convention of 1949 and relating to the protection of victims of armed conflicts	74/189	Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm
73/205	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives	74/190	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
73/209	Protection of persons in the event of disasters	74/191	The rule of law at the national and international levels
73/210	Strengthening and promoting the international treaty framework	74/192	The scope and application of the principle of universal jurisdiction
73/276	Administration of justice at the United Nations	74/193	The law of transboundary aquifers
74/180	Responsibility of States for internationally wrongful acts	74/194	Measures to eliminate international terrorism
		74/195	Report of the Committee on Relations with the Host Country

Deliverables

8.72 Table 8.10 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.10

Subprogramme 3: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	16	17	17	14
1. Reports on items before the Sixth Committee of the General Assembly, including on measures to eliminate international terrorism, on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and on criminal accountability of United Nations officials and experts on mission	16	17	17	14
Substantive services for meetings (number of three-hour meetings)	139	140	138	138
2. Meetings of the Sixth Committee	40	42	40	40
3. Meetings of the International Law Commission	87	91	86	87
4. Meetings of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	2	1	2	2
5. Meetings of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	8	6	8	7
6. Meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996	2	–	2	2
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	88	88	88	88
7. International Law Fellowship Programme	30	30	30	30
8. United Nations Regional Course in International Law for Africa	20	20	20	20
9. United Nations Regional Course in International Law for Asia-Pacific	19	19	19	19
10. United Nations Regional Course in International Law for Latin America and the Caribbean	19	19	19	19
Publications (number of publications)	8	6	11	8
11. <i>Repertory of Practice of United Nations Organs</i>	1	–	2	–
12. <i>United Nations Legislative Series</i>	1	–	1	–
13. <i>Yearbook of the International Law Commission</i>	1	3	5	5
14. <i>United Nations Juridical Yearbook</i>	2	1	2	1
15. <i>United Nations Juridical Yearbook: special edition</i>	1	–	–	1
16. <i>Reports of International Arbitral Awards</i>	1	1	1	1
17. Publication on the commemoration of the seventieth anniversary of the International Law Commission	1	1	–	–
18. <i>International Instruments related to the Prevention and Suppression of International Terrorism</i>	–	1	–	–
Technical materials (number of materials)	–	45	25	25
19. Entries in the United Nations Audiovisual Library of International Law, including lectures	–	45	25	25

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
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C. Substantive deliverables

Consultation, advice and advocacy: preparation of reports of intergovernmental and expert bodies, including the Sixth Committee and the International Law Commission; provision of technical expertise to the Special Rapporteurs of the International Law Commission, including in relation to reports to the Commission; and teaching and dissemination of international law through the Lecture Series of the Audiovisual Library of International Law.

Databases and substantive digital materials: Historic Archives of the Audiovisual Library of International Law.

D. Communication deliverables

Outreach programmes, special events and information materials: lectures, briefings and technical assistance, upon request, on public international law.

Digital platforms and multimedia content: updating and maintenance of websites, including those pertaining to the Sixth Committee, the International Law Commission, the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and the publications prepared by the subprogramme.

Library services: Research Library of the Audiovisual Library of International Law.

Subprogramme 4 Law of the sea and ocean affairs

Objective

- 8.73 The objective, to which this subprogramme contributes, is to strengthen the law of the sea for the peaceful use of the oceans and for their conservation and sustainable use, and as the basis for national, regional and global action and cooperation in the marine sector.

Strategy

- 8.74 To contribute to the strengthened law of the sea for the peaceful use of the oceans and for their conservation and sustainable use, through increased participation of States in, and effective implementation and application of, the United Nations Convention on the Law of the Sea and its implementing agreements, the subprogramme will continue to provide expert advice to States and international organizations on the law of the sea and ocean affairs, in particular relating to the Convention and the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Fish Stocks Agreement), and the work of the General Assembly on oceans and the law of the sea and sustainable fisheries. This work is expected to result in better implementation by States of those instruments and in an increased number of States parties to the Convention and its implementing agreements. Past results in this area include three further ratifications of the Fish Stocks Agreement over the course of the reporting period and nine additional deposits of charts or lists of geographical coordinates made under the Convention to the Secretary-General in 2019.
- 8.75 To contribute to the strengthened law of the sea for the peaceful use of the oceans and for their conservation and sustainable use, the subprogramme will continue to support, in particular, sustainable fisheries-related cooperative activities between and among States and other entities, which is expected to result in enhanced cooperation and coordination among stakeholders on ocean and coastal issues leading to enhanced conservation and sustainable use of the oceans and their resources. The subprogramme will also continue to provide services to the Commission on the Limits of the Continental Shelf. Past results in these areas include a number of cooperative activities between and among States and other stakeholders in the field of sustainable fisheries, as illustrated in figure 8.IV, and the approval of six sets of recommendations by the Commission since 2018.

- 8.76 To contribute to the strengthened law of the sea as the basis for national, regional and global action and cooperation in the marine sector, the subprogramme will deliver expanded capacity-building activities, such as fellowships, training courses and workshops, in collaboration with relevant stakeholders, including through programmes focused on meeting the capacity-building needs of developing countries, which is expected to result in better understanding of the legal regime for the oceans and enhanced human resource capacity of Member States, particularly developing countries, to implement that regime. Past results in this area include the expansion and diversification of capacity-building activities delivered: in 2016, there were three activities related to the United Nations-Nippon Foundation of Japan Fellowship Programme; in 2017, there were five activities related to the Fellowship Programme and to the implementation of the Convention in collaboration with the Federal Government of Somalia, the United Nations Assistance Mission in Somalia and the Association of Southeast Asian Nations; in 2018, there were 12 activities related to the Fellowship Programme and to the second cycle of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects; and in 2019, there were 12 activities related to the Fellowship Programme, to the Regular Process and to the oceans economy and trade strategies project of the United Nations Conference on Trade and Development. Over this time, the average satisfaction rating given by participants has progressively increased, from 70 per cent for activities held in 2014 and 2015 to 89.6 per cent for activities held in 2016 and 2017, 94.25 per cent for activities held in 2018 and 97.8 per cent for activities held in 2019.

Programme performance in 2019 against planned result

- 8.77 A planned result for 2019, which is enhanced cooperation and coordination among stakeholders in relation to ocean and coastal issues, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by an increased number of cooperative activities, which are reported in paragraph 8.81 below.

Programme performance in 2019: enhanced cooperation and coordination: bringing together States and stakeholders for the conservation and sustainable use of oceans

- 8.78 The enhanced involvement of all stakeholders in addressing the multitude of pressures and their impacts affecting the oceans today is key to achieving the conservation and sustainable use of the oceans and their resources, including for the implementation of the United Nations Convention on the Law of the Sea and its implementing agreements and the achievement of the targets of Sustainable Development Goal 14 and other ocean-related Goals. Breaking down silos in taking action to address major pressures facing the oceans, such as marine pollution, overfishing, coastal degradation and the impacts of climate change and ocean acidification, remains an area of focus. International law, as reflected in the Convention, provides the strongest basis for the cross-sectoral coordination and cooperation required at the global, regional and bilateral levels, including through intergovernmental organizations. Its effective implementation is critical to the sustainable development of oceans and their resources.
- 8.79 To that end, in 2019, the subprogramme led work to support Member States in the implementation of target 14.c of the Goals, to enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the Convention, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”, through the development of a methodology to enable the measurement of progress against that target at the global level. The subprogramme coordinated extensively with States and other stakeholders, including by holding several briefings and side events, to develop and refine a questionnaire to facilitate the collection of the necessary data. The questionnaire was approved by the Inter-Agency and Expert Group on Sustainable Development Goal Indicators as the methodology for the agreed indicator to monitor progress against target 14.c,

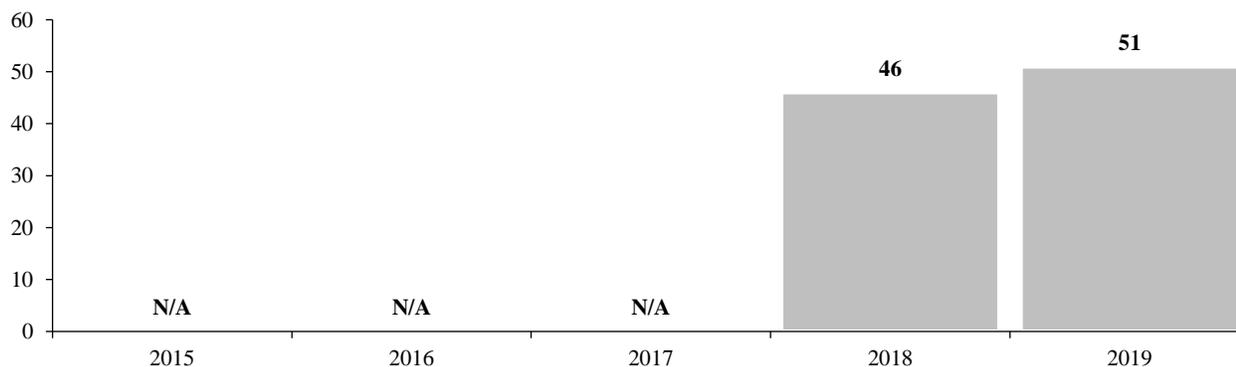
will enable the collection of baseline data to commence in 2020 and will help Member States to maximize and track progress in implementing target 14.c.

- 8.80 The subprogramme, in addition, increased interaction and cooperative activities with States and other stakeholders on a range of ocean and coastal issues, including with respect to activities to address the major pressures identified above. Those activities included capacity-building activities, participation in intergovernmental meetings, the organization of side events, briefings and seminars and contributions to reports, policy briefs and other documents.

Progress towards the attainment of the objective, and performance measure

- 8.81 This work contributed to the strengthened law of the sea for the peaceful use of the oceans and for their conservation and sustainable use, as demonstrated by 51 cooperative activities between and among States and other stakeholders, which represents an increase compared to 46 such activities in 2018. Those cooperative activities reflect national, regional and global action and cooperation in the marine sector.

Figure 8.IV
Performance measure: number of cooperative activities per year^a



Abbreviation: N/A, not applicable.

^a Information before 2018 is not comparable, since the methodology has changed.

Planned results for 2021

Result 1: strengthen the science-policy interface by developing the second world ocean assessment (result carried over from 2020)

- 8.82 The subprogramme will continue the work related to the strengthening of the science-policy interface of oceans and seas, in line with its mandate, and will promote initiatives conducive to the more sustainable management of human activities in the oceans and seas, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.11
Performance measure

2017	2018	2019	2020	2021
N/A	Constitution of the Pool of Experts and writing teams, and organization of regional workshops	Preparation and peer review of the chapters of the second world ocean assessment	Publication of the second world ocean assessment and approval of its summary by the General Assembly, resulting in a strengthened science-policy interface leading to more sustainable management of human activities in the oceans and seas	First year of the third cycle of the Regular Process, for the period 2021–2025; start of work on the third world ocean assessment

Abbreviation: N/A, not applicable.

Result 2: progress in making global fisheries sustainable (new result)

- 8.83 The situation with the state of marine living resources remains dire, as evidenced by the report of the Food and Agriculture Organization of the United Nations (FAO) entitled *The State of World Fisheries and Aquaculture 2018: Meeting the Sustainable Development Goals*, according to which 33.1 per cent of assessed marine fish stocks were estimated to be fished at a biologically unsustainable level and therefore overfished. The Fish Stocks Agreement provides the legal regime for the conservation and management of straddling fish stocks and highly migratory fish stocks. The next resumed Review Conference on the Agreement, to be held in 2021, will provide a key opportunity to assess the effectiveness of this instrument by reviewing and assessing the adequacy of its provisions and, if necessary, proposing means of strengthening the substance and methods of implementation in order to better address any continuing problems in the conservation and management of those stocks.
- 8.84 The subprogramme will provide substantive input to the preparations for the resumed Review Conference by, inter alia, preparing the report of the Secretary-General to be submitted to the Review Conference, preparing documentation for the Conference and servicing the meeting.
- 8.85 The subprogramme has also prepared and serviced the yearly informal consultations of States parties to the Agreement, one of which will also serve as the preparatory meeting for the resumed Review Conference.

Internal challenge and response

- 8.86 The challenge for the subprogramme was the reliance on long-established mechanisms to collect from Member States, as requested by the General Assembly, sufficient and representative data and information on the status of global fish stocks, aquaculture, fishing methods and policy and governance developments since the resumed Review Conference in 2016. The other challenge was to muster sufficient scientific and operational expertise to advise Member States on all substantive issues related to the preparations for the Review Conference. In response, the subprogramme will prepare and regularly distribute a detailed and targeted questionnaire on the issues mentioned above to States, regional fisheries management organizations and arrangements and regional economic cooperation organizations and will invite inputs from FAO and other United Nations system entities.

The subprogramme will also employ the services of experts in the field of fisheries to assist with the scientific aspects of the report of the Secretary-General.

Expected progress towards the attainment of the objective, and performance measure

- 8.87 This work is expected to contribute to the strengthened law of the sea for the peaceful use of the oceans and for their conservation and sustainable use, which would be demonstrated by the adoption of recommendations by the Review Conference that enhance the implementation of the Fish Stocks Agreement. It would also help Member States to make progress towards achieving target 14.6 of the Sustainable Development Goals through indicator 14.6.1 of Goals, progress by countries in the degree of implementation of international instruments aiming to combat illegal, unreported and unregulated fishing.

**Table 8.12
Performance measure**

2017	2018	2019	2020	2021
Countries and regional fisheries management organizations and arrangements review recommendations adopted by the Review Conference in 2016, and consider incorporation into the annual General Assembly resolution on sustainable fisheries	Countries commit to consider becoming party to the Fish Stocks Agreement (three further ratifications in 2018) and implementing Review Conference recommendations	Countries and regional fisheries management organizations and arrangements continue to review and implement recommendations; General Assembly decides to hold new session of the Review Conference in 2021	Countries and regional fisheries management organizations and arrangements finalize preparations for the new session of the Review Conference; subprogramme prepares report of the Secretary-General to facilitate proceedings	Review Conference adopts further recommendations on the enhanced implementation of the Fish Stocks Agreement

Legislative mandates

- 8.88 The list below provides all mandates entrusted to the subprogramme.

United Nations Convention on the Law of the Sea

Articles 16 (2), 47 (9), 63 (2), 64, 75 (2), 76 (9), 84 (2), 116–119, 287 (8), 298 (6), 312, 313 (1) and 319 (1) and (2); articles 2 (2) and (5) and 6 (3) of annex II; articles 2 and 3 (e) of annex V; article 4 (4) of annex VI; article 2 (1) of annex VII; and article 3 (e) of annex VIII

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Articles 26 (1) and 36

General Assembly resolutions

37/66	Third United Nations Conference on the Law of the Sea		the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction
49/28	Law of the Sea		
52/26; 55/7; 60/30; 63/111; 64/71; 65/37 A and B; 67/78; 68/70; 69/245; 73/124; 74/19	Oceans and the law of the sea	73/125; 74/18	Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments
54/33	Results of the review by the Commission on Sustainable Development of the sectoral theme of “Oceans and seas”: international coordination and cooperation	73/292	
70/1	Transforming our world: the 2030 Agenda for Sustainable Development		2020 United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development
71/312	Our ocean, our future: call for action		
72/249	International legally binding instrument under the United Nations Convention on		

Deliverables

8.89 Table 8.13 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.13

Subprogramme 4: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	12	39	29	28
1. Reports for the General Assembly on oceans and the law of the sea and on sustainable fisheries	3	2	3	2
2. Report on the work of the Ad Hoc Working Group of the Whole of the General Assembly on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects	1	1	1	–
3. Documentation for the intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction	2	16	3	–
4. Documentation for meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea	1	2	2	2
5. Documentation for the Meeting of the States Parties to the United Nations Convention on the Law of the Sea	1	12	11	7
6. Documentation for the Commission on the Limits of the Continental Shelf	3	5	5	5

Part III International justice and law

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
7. Report on the consultations of States parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Fish Stocks Agreement)	1	1	1	1
8. Second world ocean assessment	–	–	1	–
9. Report of the Secretary-General on actions taken by States and regional fisheries management organizations and arrangements in response to relevant paragraphs of General Assembly resolutions 64/72 , 66/68 and 71/123 , on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks	–	–	1	–
10. Summary of the workshop to discuss the implementation of relevant paragraphs of General Assembly resolutions 64/72 , 66/68 and 71/123 , on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks	–	–	1	–
11. Documentation for the Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	–	–	–	11
Substantive services for meetings (number of three-hour meetings)	656	693	671	603
12. Meetings of the General Assembly (informal consultations and plenary meetings)	32	32	38	32
13. Consultations of States parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	4	4	4	4
14. Meetings relating to the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects	40	55	34	–
15. Intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction	40	51	20	–
16. Meetings of States Parties to the United Nations Convention on the Law of the Sea	10	6	10	10
17. Meetings of the Commission on the Limits of the Continental Shelf and its subcommissions	520	536	550	538
18. Workshop to discuss implementation of relevant paragraphs of General Assembly resolutions 64/72 , 66/68 and 71/123 , on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks	–	–	4	–
19. Meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea	10	8	10	8
20. Preparatory meeting for the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea	–	1	1	1
21. Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	–	–	–	10

Section 8 Legal affairs

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
Conference and secretariat services for meetings (number of three-hour meetings)	550	553	544	498
22. Meetings relating to the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects	40	55	34	–
23. Meetings of the subcommissions of the Commission on the Limits of the Continental Shelf	510	498	510	498
B. Generation and transfer of knowledge				
Field and technical cooperation projects (number of projects)	5	5	5	6
24. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea	1	1	1	1
25. United Nations-Nippon Foundation of Japan Fellowship Programme for Human Resources Development and Advancement of the Legal Order of the World's Oceans	1	1	1	1
26. United Nations-Nippon Foundation Sustainable Ocean Programme	1	1	1	1
27. Evidence-based and policy-coherent oceans economy and trade strategies project (eleventh tranche of the United Nations Development Account)	1	1	1	1
28. Project for Somali legislators and technical officials on the development of an effective legal framework for the governance of the maritime zones of Somalia and the sustainable development of its resources in conformity with the United Nations Convention on the Law of the Sea and related instruments (project 89 under the trust fund to support initiatives of States to counter piracy off the coast of Somalia)	1	1	1	1
29. Project for the promotion of the implementation of the United Nations Convention on the Law of the Sea and its implementing agreements and the 2030 Agenda for Sustainable Development in the context of ocean affairs and the law of the sea (funded by the Norwegian Agency for Development Cooperation)	–	–	–	1
Seminars, workshops and training events (number of days)	6	8	5	7
30. Workshops, seminars and training events on oceans and the law of the sea	6	8	5	7
Publications (number of publications)	4	4	4	4
31. Publications on the law of the sea	4	4	4	4
Technical materials (number of materials)	1	3	1	1
32. Technical brochures on the law of the sea	1	3	1	1

C. Substantive deliverables

Consultation, advice and advocacy: expert advice to States and international organizations on the law of the sea and ocean affairs, in particular relating to the United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks; assistance to Member States in relation to the work of the General Assembly on oceans and the law of the sea and sustainable fisheries, including with respect to the preparation of draft resolutions under the agenda item on oceans and the law of the sea; support for the implementation by Member States of the oceans-related Sustainable Development Goals in the 2030 Agenda for Sustainable Development; and strengthening of inter-agency cooperation, in particular through UN-Oceans.

Databases and substantive digital materials: geographic information system for the deposit of charts and geographical coordinates; and legal databases in relation to maritime zones.

D. Communication deliverables

Outreach programmes, special events and information materials: promotion of a better understanding of the United Nations Convention on the Law of the Sea and the Fish Stocks Agreement, and the work of the General Assembly on oceans and the law of the sea and sustainable fisheries, through publicly accessible materials and participation in meetings, briefings and events; and commemoration of World Oceans Day on 8 June through the organization of events and other outreach activities.

Digital platforms and multimedia content: updating and maintenance of web portals and websites.

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
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Library services: maintenance and development of the specialized reference collection and bibliographic database on the law of the sea and ocean affairs.

E. Enabling deliverables

Administration: administrative activities related to oceans and the law of the sea, including management of trust funds.

Information and communications technology: maintenance of databases, including geospatial databases, and websites.

Legal services: advice and assistance to States, the Commission on the Limits of the Continental Shelf, entities of the United Nations system and the International Tribunal for the Law of the Sea.

Subprogramme 5 Progressive harmonization, modernization and unification of the law of international trade

Objective

- 8.90 The objective, to which this subprogramme contributes, is to further the progressive harmonization and unification of the law of international trade.

Strategy

- 8.91 To contribute to the progressive harmonization and unification of the law of international trade, including by removing legal obstacles to international trade through effective intergovernmental deliberations, addressing the issue of harmonized and modernized substantive rules of private international law to govern international trade and ensuring the widespread adoption and use of those rules, the subprogramme will, as the secretariat to UNCITRAL, provide working papers and draft reports, advice and assistance in the conduct of intergovernmental negotiations, and will draft legislative and non-legislative texts. These actions are expected to result in well-informed, transparent and inclusive deliberations and in universally acceptable substantive rules of private law in identified areas of international trade. Past results in this area include the development of the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (the Mauritius Convention on Transparency), adopted by the General Assembly in its resolution 69/116, which has contributed to the establishment of a harmonized legal framework for the transparent, fair and efficient settlement of international investment disputes and to building confidence in the international investment framework, and which has been signed by 23 States and ratified by five States. Progress has also been made through the establishment of a repository for information and documents on treaty-based investor-State arbitration on the UNCITRAL website.
- 8.92 In addition, the subprogramme will coordinate its normative and standard-setting activities with equivalent activities of other international organizations to avoid duplication of efforts in the preparation and publication of papers on the work of UNCITRAL and relevant developments in other organizations, enabling the participation of those organizations in UNCITRAL work; and propose that UNCITRAL recommend the use or adoption of instruments emanating from other organizations. These actions are expected to result in the issuance by international organizations of consistent and coherent substantive rules of private law to govern identified areas of international trade. Past results in this area include, first, the participation of UNCITRAL representatives in the process leading to the adoption by the Hague Conference on Private International Law of the Principles on Choice of Law in International Commercial Contracts (Hague Principles), which were endorsed and recommended for use by UNCITRAL in 2017 and have been enacted in several jurisdictions, and second, the preparation of a guide on international commercial contracts (with a focus on sales) by the UNCITRAL secretariat and the secretariats of the Hague Conference on Private International Law and the International Institute for the Unification of Private Law (UNIDROIT), which will

significantly facilitate the use and application of those instruments in practice and further harmonization in this area.

- 8.93 Lastly, the subprogramme will provide technical assistance and capacity-building to Governments.¹ Such assistance involves relevant gap analyses and other diagnostic assessments, holding awareness-raising and training events and providing advice on the enactment of UNCITRAL texts in national law and in the preparation and publication of guidance and interpretative materials, which are expected to result in additional treaty actions and national enactments of UNCITRAL texts and increased judicial and arbitral decisions referring to and interpreting those texts. Past results in this area include, first, the provision of country assessments of e-commerce and paperless trade readiness, which led to engagement by the subprogramme with countries and to the enactment of UNCITRAL model laws and to the adoption of the United Nations Convention on the Use of Electronic Communications in International Contracts, and second, the use by external partners of interpretative texts. In 2019, approximately 34,800 users visited an UNCITRAL online database that is available in the six official languages of the United Nations. The number of users varied between 2,700 and 4,500 per month. China and India were the countries where the most searches originated, followed by the United States of America and the United Kingdom of Great Britain and Northern Ireland.

Programme performance in 2019 against planned result

- 8.94 A planned result for 2019, which is effective progress towards the modernization of trade law and practices and reduction of legal uncertainties and obstacles posed by inadequate and disparate laws or conflicting interpretation and application of laws, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by 61 legislative decisions in 2019 (data extracted from the table showing the status of UNCITRAL texts, available at https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/overview-status-table_6.pdf). This achievement compares with the target of 65 actions for the biennium 2018–2019. There were 15 equivalent actions in 2018.

Programme performance in 2019: the United Nations Convention on International Settlement Agreements Resulting from Mediation achieves the highest early signature rate of any United Nations trade-related treaty

- 8.95 Settling the disputes that commonly arise in commercial transactions and enforcing obligations in cross-border disputes require international dispute settlement mechanisms. The subprogramme has long fostered the settlement of cross-border commercial disputes through more neutral, swifter and more cost-effective alternatives to litigation in national courts and, in recent years, through the non-adversarial method known as mediation. Alternative dispute settlement methods are known for their significant benefits in mitigating unnecessary costs and risks in dispute settlement, reducing the need for litigation, facilitating the administration of international transactions by commercial parties, preserving long-term commercial relationships and generating savings in the administration of justice by States. Alternative dispute settlement methods therefore build confidence in the ability to engage in cross-border commerce. This, in turn, creates fertile ground for investment and innovation, promotes more prosperous, stable and sustainable international trade relationships among States and regions and thus contributes to economic development. A prerequisite for an effective international dispute settlement mechanism is the ability to enforce an award or a settlement agreement reached through that mechanism across borders, again in a neutral, timely and cost-effective manner. In that respect, two United Nations Conventions play a key role. In the field of

¹ At its fifty-first session, UNCITRAL emphasized the priority of the subprogramme's legislative activity, and encouraged the Secretariat to ensure that human resources allocated to technical assistance would not adversely affect the servicing of the Commission and its working groups (A/73/17, para. 187).

arbitration, the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention), adopted in 1958, establishes a framework for the recognition and enforcement of foreign arbitral awards and arbitration agreements. The New York Convention has often been considered one of the key pillars of the international system of justice. At the time of reporting, 161 States were parties to the Convention, meaning that in most jurisdictions in the world, courts apply the provisions of the Convention and recognize the awards made abroad. The global acceptance of the New York Convention represents a step towards better access to justice for economic operators, as it provides legal certainty on enforcement rights and due process, in line with the 2030 Agenda for Sustainable Development. In 2018, the General Assembly adopted the United Nations Convention on International Settlement Agreements Resulting from Mediation (Singapore Convention on Mediation), which provides the first cross-border enforcement mechanism for dispute settlement agreements that result from mediation. Until the adoption of the Singapore Convention on Mediation, the often-cited challenge to the use of mediation was the lack of an efficient and harmonized framework for the cross-border enforcement of such settlement agreements. In response to this need, UNCITRAL developed and adopted the Convention, which now also contributes to the development of a mature, rules-based global commercial system (related in particular to the support of the implementation of Sustainable Development Goal 16). The two Conventions establish a modernized and harmonized framework for cross-border business, providing all countries with tools to expand their businesses' commercial activities beyond national borders, thereby ensuring inclusivity for developing countries and the least developed countries.

- 8.96 From 2015 onwards, the subprogramme prepared and drafted international legal instruments to strengthen the role of mediation by providing for the cross-border enforcement of mediated settlements of disputes, namely, the Singapore Convention on Mediation and the UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation, 2018 (amending the UNCITRAL Model Law on International Commercial Conciliation, 2002), which can be used to implement the Convention. Those instruments were finalized by UNCITRAL in 2018 and adopted by the General Assembly and the Commission, respectively, at the end of 2018. In its resolution [73/198](#), the Assembly authorized a ceremony for the opening for signature of the Convention to be held in Singapore in August 2019.
- 8.97 Starting in August 2018, the subprogramme also focused on raising awareness of the Singapore Convention on Mediation, including extensive engagement in the preparation of the signing event, at which the Convention was opened for signature in Singapore on 7 August 2019, thus contributing to the objective by encouraging States to sign, ratify and implement the Convention.

Progress towards the attainment of the objective, and performance measure

- 8.98 This work contributed to the progressive harmonization and unification of the law of international trade, including by removing legal obstacles to international trade through effective intergovernmental deliberations, addressing the issue of harmonized and modernized substantive rules of private international law to govern international trade and ensuring the widespread adoption and use of those rules in the area of enforcement of mediated dispute settlement agreements, as demonstrated by a total of 52 States signing the Convention, including 46 States doing so at the signing ceremony on 7 August 2019, representing the highest number of State signatories for any United Nations trade-related convention upon its opening for signature. Five further States signed the Convention at a treaty event on the theme "Treaties in support of the 2030 Agenda for Sustainable Development", held at United Nations Headquarters in New York from 24 to 27 September 2019, and one further State has since signed the Convention. The Convention will enter into force on 12 September 2020, approximately one year after the signing ceremony, following ratification by three States and signature by 49 other States. The subprogramme's awareness-raising activities, noted above, have led to requests for the delivery of technical assistance and capacity-building measures to assist countries, especially developing countries, in the use of mediation, such as the Singapore Mediation Academy, the first such academy, to be launched in September 2020.

Table 8.14
Performance measure

2015	2016	2017	2018	2019
UNCITRAL member States agree to commence work on enforcement of mediated settlement agreements (A/70/17, paras. 142 and 341)	UNCITRAL Working Group II (Arbitration and Conciliation) deliberates on the provisions needed for a convention on the enforcement of mediated settlement agreements (A/71/17, para. 165)	UNCITRAL member States endorse the Working Group's compromise agreement to address five key areas as a package in a convention (A/CN.9/901, para. 52, and A/72/17, para. 238), thus allowing for finalization of the draft convention	United Nations Convention on International Settlement Agreements Resulting from Mediation adopted by General Assembly (resolution 73/198, annex)	Opening of Convention for signature on 7 August 2019 (A/74/17, para. 122); signature by 52 States as of October 2019

Planned results for 2021

Result 1: enforcing commercial obligations across borders (result carried over from 2020)

- 8.99 The subprogramme will continue the work related to mechanisms for the resolution of commercial disputes, in line with its mandate, and will promote solutions that assist countries in the effective and efficient settlement of disputes, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution 74/251.

Table 8.15
Performance measure

2017	2018	2019	2020	2021
N/A	United Nations Convention on International Settlement Agreements Resulting from Mediation adopted	Initiation of dialogue between Member States on technical assistance and capacity-building, including on the establishment of national mediation centres	First ratifications of the Convention, establishment of national mediation centres and launch of the Singapore Mediation Academy	Entry into force of the Convention and launch of further mediation academies

Abbreviation: N/A, not applicable.

Result 2: reforms to investor-State dispute settlement through development of multiple solutions (new result)

- 8.100 In July 2017, UNCITRAL member States tasked Working Group III (Investor-State Dispute Settlement Reform) of the Commission with a broad mandate to work on the possible reform of investor-State dispute settlement and, in discharging that mandate, to ensure that the deliberations,

while benefiting from the widest available expertise from all stakeholders and taking into account the ongoing work of relevant international organizations, were Government-led, with high-level input from all Governments, consensus-based and fully transparent. From November 2017 to November 2018, the Working Group first identified and considered concerns regarding investor-State dispute settlement and then concluded that reform was desirable in the light of the identified concerns. Starting in April 2019, the Working Group turned to the third phase of its work, to develop relevant solutions to be recommended to the Commission, with a view to allowing each State the choice of whether and to what extent it wished to adopt the relevant solution(s).

- 8.101 The subprogramme has provided advice and assistance to the Working Group in a series of 21 working papers (to date), which the subprogramme drafted and published on the UNCITRAL website. The working papers address three broad categories of concerns voiced about investor-State dispute settlement (lack of consistency, coherence, predictability and correctness of arbitral decisions; issues related to arbitrators and decision makers; and the cost and duration of investor-State dispute settlement cases), whether it would be desirable to undertake reforms and possible solutions for reform. The subprogramme has also received 30 submissions from States at all levels of development on a wide range of issues. On the basis of a project schedule agreed in October 2019, the Working Group has proceeded to discuss and develop multiple potential reform solutions simultaneously.
- 8.102 Member States have noted the importance of transparent and fair investor-State dispute settlement regimes as key components of the investment environment, and have emphasized the importance to the effectiveness and legitimacy of possible reforms of ensuring that the process remains inclusive and fully transparent, in particular by ensuring the participation of States at all levels of development.

Internal challenge and response

- 8.103 The challenge for the subprogramme was to ensure that the relevant technical information is available to the Working Group, in particular that related to existing and emerging practices in many jurisdictions; and that issues can be addressed simultaneously, in order to ensure that effective solutions can emerge for the reform of the mechanisms that govern disputes arising between a foreign investor and a State. In response, the subprogramme will prepare detailed studies of reform options reflecting those practices and on how to develop them further, and proposals on ways of working between Working Group sessions, including consultations among delegates and representatives of international organizations participating in sessions of the Working Group. In order to prepare those studies and proposals, the subprogramme will organize intersessional regional meetings in developing countries to exchange experiences and views on the reform agenda in the context of the regions concerned, and will report accordingly to the Working Group.

Expected progress towards the attainment of the objective, and performance measure

- 8.104 This work is expected to contribute to the progressive harmonization and unification of the law of international trade and the reform of rules and mechanisms that govern disputes arising between a foreign investor and a State, which would be demonstrated by consensus reached in Working Group III on certain reform options. Providing an effective yet balanced dispute resolution system for such disputes will further promote foreign investment and international trade. To ensure a harmonized approach, this reform process should be based on consensus among the member States of UNCITRAL, including developing countries, on the different aspects of investor-State dispute settlement procedures, with UNCITRAL providing the forums for such deliberations.

Table 8.16
Performance measure

2017	2018	2019	2020	2021
UNCITRAL member States mandate Working Group III to work on possible reform of investor-State dispute settlement, in three parts	Working Group III addresses the first and second parts of its mandate, on the identification of concerns in the field of investor-State dispute settlement and whether those concerns justify reform of investor-State dispute settlement	Working Group III commences deliberations on possible reform options and on developing a project schedule for reform options in parallel	Working Group III considers and develops multiple reform options	Working Group III continues to develop reform options and reaches consensus on certain reform options

Legislative mandates

8.105 The list below provides all mandates entrusted to the subprogramme.

General Assembly resolutions

2205 (XXI)	Establishment of the United Nations Commission on International Trade Law	74/182	Report of the United Nations Commission on International Trade Law on the work of its fifty-second session
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Deliverables

8.106 Table 8.17 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.17
Subprogramme 5: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	158	198	195	195
1. Report of the United Nations Commission on International Trade Law to the General Assembly	1	1	1	1
2. Reports of UNCITRAL subsidiary bodies to the Commission	12	12	12	12
3. Notes by the secretariat to the Commission and its subsidiary bodies	67	76	82	82
4. Conference room papers of the Commission and its subsidiary bodies	63	94	85	85
5. Information papers for the Commission and its subsidiary bodies	15	15	15	15
Substantive services for meetings (number of three-hour meetings)	150	137	150	150
6. Meetings of the Commission	30	19	30	30
7. Meetings of UNCITRAL subsidiary bodies	120	118	120	120

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
B. Generation and transfer of knowledge				
Field and technical cooperation projects (number of projects)	15	15	15	15
8. Regional projects in the field of international trade law	4	2	4	4
9. Country projects in the field of international trade law	11	13	11	11
Seminars, workshops and training events (number of days)	80	88	80	80
10. International seminars, workshops and training events on international trade law	20	23	20	20
11. Regional seminars, workshops and training events on international trade law	40	46	40	40
12. Country seminars, workshops and training events on international trade law	20	19	20	20
Publications (number of publications)	11	3	9	10
13. Legal texts (international conventions, UNCITRAL model laws, legislative guides and other legal texts)	8	3	5	7
14. UNCITRAL publications (<i>Yearbook of the United Nations Commission on International Trade Law</i> , guides to UNCITRAL, digests of case law)	3	–	4	3
Technical materials (number of materials)	10	4	12	11
15. Promotional and technical assistance materials	–	1	2	1
16. Case Law on UNCITRAL Texts (CLOUT) abstracts	10	3	10	10
C. Substantive deliverables				
Consultation, advice and advocacy: expert advice on international trade law.				
Databases and substantive digital materials: CLOUT (an online database on case law on UNCITRAL texts); Transparency Registry (an online repository for the publication of information and documents in treaty-based investor-State arbitration); online e-learning modules on international trade law; online materials, such as presentations, to raise awareness and understanding of UNCITRAL texts; and other databases requested by States.				
D. Communication deliverables				
Outreach programmes, special events and information materials: brochures, flyers and information kits on UNCITRAL; lectures to groups of legal and other practitioners, academics and law students; colloquiums on international trade law; international commercial law moot court competitions; commemoration events; and international law congresses.				
External and media relations: press releases related to UNCITRAL meetings and other important events (e.g., accession by States to UNCITRAL texts and issuance of publications).				
Digital platforms and multimedia content: updating and maintenance of UNCITRAL website.				
Library services: maintenance of up-to-date and relevant content in the UNCITRAL Law Library.				

Subprogramme 6 Custody, registration and publication of treaties

Objective

- 8.107 The objective, to which this subprogramme contributes, is to ensure transparency of the international treaty framework, wider knowledge of the law of treaties and broader participation in multilateral treaties concluded under the auspices of the United Nations and deposited with the Secretary-General.

Strategy

- 8.108 To contribute to ensuring transparency of the international treaty framework, the subprogramme will undertake the registration and publication of approximately 2,000 treaties and treaty actions each

year under Article 102 of the Charter of the United Nations, and will provide timely and accurate information relating to deposited treaties, registered treaties and related actions through the electronic dissemination of treaty-related information on the online United Nations Treaty Collection and the publication of the United Nations *Treaty Series*. These actions are expected to result in improved access to treaties deposited with the Secretary-General and related treaty actions, including information on their status, and to treaties and related treaty actions submitted for registration and publication with the Secretariat. Past results in this area include the publication of 2,985 volumes of the United Nations *Treaty Series*, which comprise every treaty or international agreement that has been registered or filed and recorded with the Secretariat by Member States and international organizations. Such treaties and international agreements are published in their authentic languages, followed by translations in English and French, as required. In addition, the up-to-date status of multilateral treaties deposited with the Secretary-General is accessible through a database available on the United Nations Treaty Collection website (<https://treaties.un.org>).

- 8.109 To contribute to wider knowledge of the law of treaties, the subprogramme will provide legal assistance and advice to Member States, specialized agencies, United Nations programmes and offices, treaty bodies and other entities on the law of treaties, including final clauses of treaties, the depositary practice of the Secretary-General and the registration and publication of treaties. Such assistance would be provided in particular during the negotiation of multilateral treaties and through the organization of capacity-building seminars at Headquarters and at the national and regional levels, as well as through the elaboration of topical reference publications. This work is expected to result in the prevention of issues of interpretation and implementation of treaty provisions by contracting States and in enhanced familiarity and understanding by Member States of the technical and legal aspects of participating in the multilateral treaty framework and registering treaties. Past results in this area include well-drafted final clauses developed during the successful negotiation of multilateral instruments deposited with the Secretary-General at the universal and regional levels, such as the Minamata Convention on Mercury of 10 October 2013, the Paris Agreement of 12 December 2015 and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) of 4 March 2018.
- 8.110 To contribute to broader participation in multilateral treaties concluded under the auspices of the United Nations and deposited with the Secretary-General, the subprogramme will undertake the depositary functions of the Secretary-General in respect of around 600 multilateral treaties and organize and conduct treaty events, including during the high-level week of the annual session of the General Assembly. This work is expected to result in the entry into force of multilateral treaties deposited with the Secretary-General and in the universalization of participation of States in such treaties. Past results in the area include a cumulative total of 2,244 treaty actions with respect to multilateral treaties deposited with the Secretary-General taken by Heads of State and Government, ministers for foreign affairs and other duly authorized State representatives on the occasion of the annual treaty events organized since 2000 at Headquarters. Past results also include a significant number of additional treaty actions taken on the occasion of the holding of a series of special treaty events organized at the request of a Member State, either on the margins of the annual treaty events or as a stand-alone collective solemn undertaking.

Programme performance in 2019 against planned result

- 8.111 A planned result for 2019, which is ongoing State participation in the international treaty framework, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by the continuous receipt of a total of 5,718 treaties and actions for deposit with the Secretary-General and for registration as at 31 December 2019. This figure is higher than the target of the receipt of 5,360 treaties and treaty actions indicated in the proposed programme budget for the biennium 2018–2019.

Programme performance in 2019: a significant number of States sign a novel universal treaty on mediation

- 8.112 On 20 December 2018, the General Assembly adopted the United Nations Convention on International Settlement Agreements Resulting from Mediation (see resolution 73/198). In doing so, the Assembly recognized the value of mediation as a method of amicably settling disputes arising in the context of international commercial relations. This international convention establishes an effective mechanism to enforce dispute settlement agreements in the international framework for dispute settlement, which will contribute to the development of harmonious international economic relations. The draft of the Convention was prepared by UNCITRAL, which called upon the expertise of the subprogramme to provide Governments with legal support on the law of treaties, in particular on final clauses, prior to the adoption of the Convention on 20 December 2018. Well-drafted final clauses allow for the easy operation of the treaty and facilitate implementation by the parties and the depositary. They can have a significant impact on substance as well. The United Nations Convention on International Settlement Agreements Resulting from Mediation is known as the Singapore Convention on Mediation, where it was opened for signature on 7 August 2019. The subprogramme, in the discharge of the depositary functions of the Secretary-General under the Convention, also assisted with the planning and organization of a high-level ceremony for the opening for signature of the Convention, hosted by the Government of Singapore. Such assistance is intended to ensure that no legal or procedural issue arises during the ceremony for the opening for signature of a convention where State representatives are taking action.
- 8.113 Prior to the adoption of the Singapore Convention on Mediation, the subprogramme provided legal advice to the negotiating States, through the UNCITRAL secretariat, during the negotiation process. Legal advice included the review of the final clauses of the draft convention from the perspective of the international law of treaties and the practice of the Secretary-General of the United Nations as depositary. Legal advice was provided on provisions of the draft convention such as those dealing with participation, in particular by regional economic integration organizations, entry into force, amendments, reservations and the relation of the provisions of the Convention with other treaties. The proper drafting of such clauses or provisions in accordance with applicable international treaty laws and practice prevents problems of application and interpretation of the Convention.
- 8.114 Following its adoption, the subprogramme prepared the original of the Singapore Convention on Mediation and issued and circulated the certified true copies to all States for the completion of their national processes to sign and become a party to the Convention. Prior to the ceremony for the opening for signature in Singapore, the subprogramme reviewed instruments of full powers by which States authorize their representatives to sign the Convention. The subprogramme advised the Government of Singapore and worked with the International Trade Law Division of UNCITRAL on the legal, procedural and protocol aspects related to the ceremony. The Convention was also highlighted by the Secretary-General at the annual treaty event organized by the subprogramme in September 2019 during the high-level week of the seventy-fourth session of the General Assembly.

Progress towards the attainment of the objective, and performance measure

- 8.115 This work contributed to wider knowledge of the law of treaties and broader participation in multilateral treaties concluded under the auspices of the United Nations and deposited with the Secretary-General, as demonstrated by the 46 signatures of the Singapore Convention on Mediation by Member States during the ceremony for the opening for signature of the Convention in Singapore and the five additional signatures by Member States during the 2019 treaty event.

Table 8.18
Performance measure

2015	2016	2017	2018	2019
UNCITRAL commences its work on the topic of enforcement of settlement agreements to identify relevant issues and develop possible solutions	UNCITRAL continues its work on the topic	UNCITRAL develops the draft convention on international settlement agreements resulting from mediation	United Nations Convention on International Settlement Agreements Resulting from Mediation is adopted by the General Assembly	Forty-six States sign the Convention at the ceremony for the opening for signature, and five additional States sign during the treaty event

Planned results for 2021

Result 1: bringing transparency in the international treaty framework into the twenty-first century (result carried over from 2020)

- 8.116 The subprogramme will continue the work related to the registration of treaties, in line with its mandate, and will facilitate the registration of treaties for the easier and broader fulfilment of treaty registration obligations by Member States, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.19
Performance measure

2017	2018	2019	2020	2021
N/A	Absence of an updated regulatory framework for the registration and publication of treaties under Article 102 of the Charter, as noted in General Assembly resolution 73/210	Consultations between Member States on the various options to further review the regulations to give effect to Article 102 of the Charter of the United Nations	Adoption by Member States of a new regulatory framework that will improve and facilitate the performance by Member States of their obligation to register treaties	Implementation of the regulatory framework that will improve and facilitate the performance by Member States of their obligation to register treaties

Abbreviation: N/A, not applicable.

Result 2: modern technology solutions available to Member States to enhance the transparency of the international treaty framework (new result)

- 8.117 Under Article 102 of the Charter, every treaty and every international agreement entered into by any Member of the United Nations after the entry into force of the Charter shall as soon as possible be registered with the Secretariat and published by it. No party to any such treaty or international agreement which has not been registered may invoke that treaty or agreement before any organ of the United Nations.
- 8.118 The subprogramme discharges the registration and publication mandate pursuant to Article 102 and a regulatory framework based on the regulations to give effect to Article 102 of the Charter of the

United Nations, which were updated most recently by the General Assembly in its resolution [73/210](#) on strengthening and promoting the international treaty framework. The new regulations, effective as from 1 February 2019, modified the registration and publication procedures and included provisions on the wider use of electronic means. In particular, the amendment made to article 5 of the regulations will have a major impact on Member State submitters. In the past, the submission of one certified hard copy of the treaty had always been a requirement. In line with the efficiency policies encouraged by the Assembly and the availability of information technology, the amended regulations now provide that the certified copy of the treaty must be submitted either in electronic or hard-copy format.

- 8.119 In resolution [73/210](#), the General Assembly recognized that technology had developed considerably, and also recognized the importance of the expeditious processing, registration and publication of treaties and treaty-related actions. The considerable increase in treaty submissions for registration in recent years has led to an exponentially higher volume of treaty-related materials available for publication. This, in turn, has brought into focus a shared perception that the Secretariat should offer its primary clients – the Member States – the most cost-effective, user-friendly and expedient tool to facilitate their compliance with the obligations set out in Article 102 of the Charter.

Internal challenge and response

- 8.120 The challenge for the subprogramme was to analyse the existing operating procedures in the area of treaty registration and publication activities, which have been in place since the 1990s, and to identify the feasibility of re-engineering parts of the treaty submission process that are based on modern technology. In response, the subprogramme will begin development of a modern web application to facilitate the electronic submission by Member States of treaties and treaty-related actions for their registration and publication. The momentum for the efforts in setting up such an online treaty submission system was built in 2019 and will continue through 2021. The subprogramme will design the prototype of an online treaty submission system and test it as a project in its initial phase in 2020. The subprogramme will provide further information in the context of the request of the General Assembly, in resolution [73/210](#), that the Secretary-General provide a report, following broad consultations with Member States, with information on practice and possible options to review the regulations, taking into account outstanding issues identified by Member States. All technical aspects of this new online system for the submission of treaty and treaty-related actions will be collaboratively addressed with the relevant units of the Secretariat, in particular the Office of Information and Communications Technology, and vetted to meet the stringent United Nations security standards.

Expected progress towards the attainment of the objective, and performance measure

- 8.121 This work is expected to contribute to ensuring transparency of the international treaty framework, which would be demonstrated by the use by Member States of an online treaty submission system available on the United Nations Treaty Collection website and the greater reliance on electronic submissions for the registration and publication of treaties and treaty-related actions through such a system.

Table 8.20
Performance measure

2017	2018	2019	2020	2021
Emergence of a trend by Member States for greater reliance on electronic means for submissions of treaties and treaty-related actions for registration	Update by the General Assembly of its regulations to give effect to Article 102 of the Charter of the United Nations to provide for electronic submission of treaties and treaty-related actions	Consultations between Member States on outstanding issues regarding the regulations to give effect to Article 102 of the Charter, including on the role of technology in the registration of treaties	Consideration by the Sixth Committee of the General Assembly of possible updates to the regulations to give effect to Article 102 of the Charter, concerning, in particular, proposals by Member States for a possible novel online treaty submission system	Implementation by Member States of updated regulations to give effect to Article 102 of the Charter, including on a possible novel online treaty submission system available on the United Nations Treaty Collection website and greater reliance on electronic submissions for the registration and publication of treaties and treaty-related actions through such a system

Legislative mandates

8.122 The list below provides all mandates entrusted to the subprogramme.

Charter of the United Nations

Article 98

Article 102

General Assembly resolutions

23 (I)	Registration of treaties and international agreements	55/2	United Nations Millennium Declaration
24 (I)	Transfer of certain functions, activities and assets of the League of Nations	56/77; 58/73; 60/19; 62/62; 68/110	United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law
97 (I)	Registration and publication of treaties and international agreements: regulations to give effect to Article 102 of the Charter of the United Nations	62/70; 70/118 62/272	The rule of law at the national and international levels The United Nations Global Counter-Terrorism Strategy
364 (IV); 482 (V)	Registration and publication of treaties and international agreements	63/128	The rule of law at the national and international levels
33/141	Registration and publication of treaties and international agreements pursuant to Article 102 of the Charter of the United Nations	64/179	Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity
51/158	Electronic treaty database		
52/153; 54/28	United Nations Decade of International Law	73/210	Strengthening and promoting the international treaty framework

Deliverables

8.123 Table 8.21 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.21

Subprogramme 6: deliverables for the period 2019–2021, by category and subcategory

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
A. Facilitation of the intergovernmental process and expert bodies				
Substantive service for meetings (number of three-hour meetings)	–	–	9	–
1. Meetings of the Sixth Committee of the General Assembly (informal consultations and plenary meetings)	–	–	9	–
Parliamentary documentation (number of documents)	–	–	1	–
2. Report to the General Assembly under the item entitled “Strengthening and promoting the international treaty framework”	–	–	1	–
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	2	2	2	2
3. Seminar on treaty law and practice at United Nations Headquarters	2	2	2	2
Publications (number of publications)	36	40	37	38
4. United Nations <i>Treaty Series</i> volumes	36	40	37	38
C. Substantive deliverables				
Consultation, advice and advocacy: advice to intergovernmental bodies on final clauses and the law of treaties during the negotiations of treaties to be deposited with the Secretary-General; and consultation and legal advice concerning the law of treaties, depositary practice and registration of treaties to States, international organizations, secretariats and treaty bodies.				
Database and substantive digital materials: depositary notifications on treaty actions (signature, acceptance, approval, ratification, accession, succession, reservation, objection, declaration, etc.) and formalities (amendment, correction, entry into force, etc.) regarding multilateral treaties deposited with the Secretary-General; original of treaties and certified true copies of treaties deposited with the Secretary-General; certificates of registration and other registration documents regarding treaties and treaty actions registered and filed and recorded by Member States and other entities; and updating and maintenance of the United Nations Treaty Collection database.				
D. Communication deliverables				
Outreach programmes, special events and information materials: annual treaty event during the opening session of the General Assembly and special treaty events dedicated to a particular treaty deposited with the Secretary-General.				
Digital platforms and multimedia content: updating and maintenance of the Treaty Section website.				
E. Enabling deliverables				
Legal services: legal advice and support to United Nations offices, departments and regional commissions on the law of treaties, depositary practice and the registration of treaties.				

B. Proposed post and non-post resource requirements for 2021

Overview

8.124 The proposed regular budget resources for 2021, including the breakdown of resource changes, as applicable, are reflected in tables 8.22 to 8.24.

Table 8.22

Financial resources

(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Posts	21 225.6	22 061.8	(249.7)	–	(45.9)	(295.6)	(1.3)	21 766.2	605.8	22 372.0
Other staff costs	325.3	627.9	(200.0)	–	–	(200.0)	(31.9)	427.9	10.1	438.0
Non-staff compensation	–	0.1	–	–	–	–	–	0.1	–	0.1
Consultants	220.5	296.7	(46.3)	22.0	0.2	(24.1)	(8.1)	272.6	5.1	277.7
Experts	7.4	45.9	–	–	(0.2)	(0.2)	(0.4)	45.7	0.9	46.6
Travel of representatives	1 315.4	1 507.7	–	–	(33.0)	(33.0)	(2.2)	1 474.7	28.0	1 502.7
Travel of staff	453.3	513.8	(22.0)	–	33.0	11.0	2.1	524.8	10.0	534.8
Contractual services	841.2	883.1	(46.6)	–	2.5	(44.1)	(5.0)	839.0	15.7	854.7
General operating expenses	312.1	316.4	(2.5)	–	–	(2.5)	(0.8)	313.9	5.9	319.8
Hospitality	–	0.9	–	–	–	–	–	0.9	–	0.9
Supplies and materials	11.2	55.1	(1.0)	–	(9.1)	(10.1)	(18.3)	45.0	0.6	45.6
Furniture and equipment	39.6	54.8	–	–	8.6	8.6	15.7	63.4	1.1	64.5
Improvements to premises	8.3	–	–	–	–	–	–	–	–	–
Fellowships, grants and contributions	207.6	404.3	(155.0)	–	(2.0)	(157.0)	(38.8)	247.3	4.6	251.9
Total	24 967.6	26 768.5	(723.1)	22.0	(45.9)	(747.0)	(2.8)	26 021.5	687.8	26 709.3

Table 8.23

Post changes^a

	Number	Level
Approved for 2020	144	1 USG, 1 ASG, 4 D-2, 7 D-1, 19 P-5, 22 P-4, 24 P-3, 14 P-2/1, 11 GS (PL), 41 GS (OL)
Abolishment	(3)	1 GS (OL) under subprogramme 2, and 1 P-3 and 1 GS (OL) under subprogramme 4
Reclassification	–	Upward reclassification of 1 P-2 to 1 P-3 under subprogramme 6
Proposed for 2021	141	1 USG, 1 ASG, 4 D-2, 7 D-1, 19 P-5, 22 P-4, 24 P-3, 13 P-2/1, 11 GS (PL), 39 GS (OL)

^a Details on justifications for post changes are reflected in annex III.

Note: The following abbreviations are used in tables and figures: ASG, Assistant Secretary - General; GS (OL), General Service (Other level); GS (PL), General Service (Principal level); USG, Under-Secretary-General.

Table 8.24
Post resources

Category	2020 approved	Changes				Total	2021 proposed
		Technical adjustments	New/expanded mandates	Other			
Professional and higher							
USG	1	–	–	–	–	–	1
ASG	1	–	–	–	–	–	1
D-2	4	–	–	–	–	–	4
D-1	7	–	–	–	–	–	7
P-5	19	–	–	–	–	–	19
P-4	22	–	–	–	–	–	22
P-3	24	(1)	–	1	–	–	24
P-2/1	14	–	–	(1)	(1)	(1)	13
Subtotal	92	(1)	–	–	(1)	(1)	91
General Service							
Principal level	11	–	–	–	–	–	11
Other level	41	(1)	–	(1)	(2)	(2)	39
Subtotal	52	(1)	–	(1)	(2)	(2)	50
Total	144	(2)	–	(1)	(3)	(3)	141

^a Includes two non-recurrent temporary posts (1 P-3 and 1 GS (OL)), which were approved pursuant to General Assembly resolution 71/257 (see para. 8.127 (a) below).

8.125 Additional details on the distribution of the proposed resources for 2021 are reflected in tables 8.25 to 8.27 and figure 8.V.

8.126 As reflected in tables 8.25 (1) and 8.26 (1), the overall resources proposed for 2021 amount to \$26,021,500 before recosting, reflecting a net decrease of \$747,000 (or 2.8 per cent) compared with the appropriation for 2020. Resource changes result from three factors, namely: (a) technical adjustments relating to the removal of non-recurrent requirements; (b) new mandates; and (c) other resource changes. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

Table 8.25
Evolution of financial resources by component and subprogramme

(Thousands of United States dollars)

(1) Regular budget

	2019 expenditure	2020 appropriation	Changes				Total Percentage	2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/expanded mandates	Other					
A. Policymaking organs	1 602.6	1 769.6	–	–	–	–	–	1 769.6	33.5	1 803.1
B. Executive direction and management	1 050.5	1 147.5	–	–	–	–	–	1 147.5	31.1	1 178.6

Section 8 Legal affairs

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
C. Programme of work										
1. Provision of legal services to the United Nations system as a whole	1 920.1	1 935.2	–	–	–	–	–	1 935.2	56.0	1 991.2
2. General legal services provided to United Nations organs and programmes	3 440.7	3 766.7	–	–	(77.5)	(77.5)	(2.1)	3 689.2	109.6	3 798.8
3. Progressive development and codification of international law	3 915.0	4 456.5	–	–	–	–	–	4 456.5	120.7	4 577.2
4. Law of the sea and ocean affairs	5 694.3	6 070.2	(523.1)	22.0	–	(501.1)	(8.3)	5 569.1	161.2	5 730.3
5. Progressive harmonization, modernization and unification of the law of international trade	3 182.3	3 160.2	–	–	–	–	–	3 160.2	63.7	3 223.9
6. Custody, registration and publication of treaties	3 248.1	3 557.1	(200.0)	–	31.6	(168.4)	(4.7)	3 388.7	89.7	3 478.4
Subtotal, C	21 400.5	22 945.9	(723.1)	22.0	(45.9)	(747.0)	(3.3)	22 198.9	600.9	22,799.8
D. Programme support	914.1	905.5	–	–	–	–	–	905.5	22.3	927.8
Subtotal, 1	24 967.7	26 768.5	(723.1)	22.0	(45.9)	(747.0)	(2.8)	26 021.5	687.8	26 709.3

(2) Other assessed

	2019 expenditure	2020 estimate	2021 estimate
A. Policymaking organs	–	–	–
B. Executive direction and management	135.3	123.4	123.8
C. Programme of work	2 741.3	3 471.0	3 967.5
D. Programme support	–	–	–
Subtotal, 2	2 876.6	3 594.4	4 091.3

(3) Extrabudgetary

	2019 expenditure	2020 estimate	2021 estimate
A. Policymaking organs	–	–	–
B. Executive direction and management	–	343.7	343.7
C. Programme of work	6 881.7	8 118.1	8 116.0
D. Programme support	147.4	136.0	136.1
Subtotal, 3	7 029.0	8 597.8	8 595.8
Total	34 873.3	38 960.7	39 396.4

Table 8.26
Evolution of post resources by component and subprogramme

(1) Regular budget

	Changes				Total	2021 proposed
	2020 approved	Technical adjustments	New/expanded mandates	Other		
A. Policymaking organs	–	–	–	–	–	–
B. Executive direction and management	7	–	–	–	–	7
C. Programme of work						
1. Provision of legal services to the United Nations system as a whole	11	–	–	–	–	11
2. General legal services provided to United Nations organs and programmes	22	–	–	(1)	(1)	21
3. Progressive development and codification of international law	21	–	–	–	–	21
4. Law of the sea and ocean affairs	34	(2)	–	–	(2)	32
5. Progressive harmonization, modernization and unification of the law of international trade	19	–	–	–	–	19
6. Custody, registration and publication of treaties	25	–	–	–	–	25
Subtotal, C	132	(2)	–	(1)	(3)	129
D. Programme support	5	–	–	–	–	5
Subtotal, 1	144	(2)	–	(1)	(3)	141

(2) Other assessed

	2020 estimate	2021 estimate
A. Policymaking organs	–	–
B. Executive direction and management	–	–
C. Programme of work	20	20
D. Programme support	–	–
Subtotal, 2	20	20

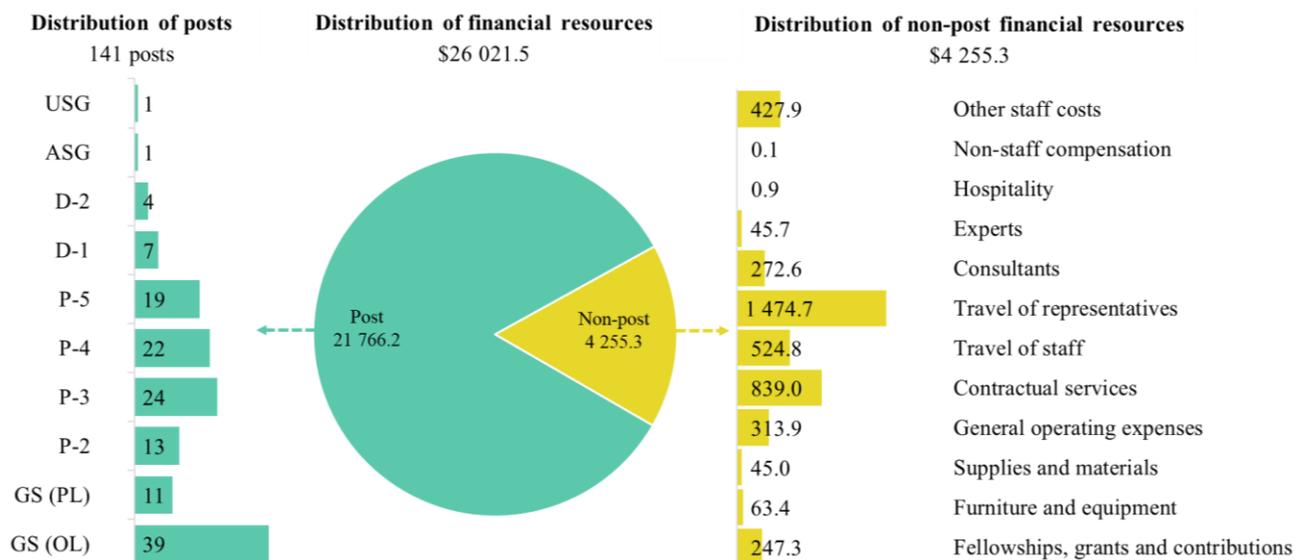
(3) Extrabudgetary

	2020 estimate	2021 estimate
A. Policymaking organs	–	–
B. Executive direction and management	2	2
C. Programme of work	25	25
D. Programme support	1	1
Subtotal, 3	28	28
Total	192	189

Table 8.27
Evolution of financial and post resources by category
 (Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				Total	Percentage	2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other				
Financial resources by main category of expenditure									
Post	21 225.6	22 061.8	(249.7)	–	(45.9)	(295.6)	(1.3)	21 766.2	
Non-post	3 742.0	4 706.7	(473.4)	22.0	–	(451.4)	(9.6)	4 255.3	
Total	24 967.6	26 768.5	(723.1)	22.0	(45.9)	(747.0)	(2.8)	26 021.5	
Post resources by category									
Professional and higher		92	(1)	–	–	(1)	(1.1)	91	
General Service and related		52	(1)	–	(1)	(2)	(3.8)	50	
Total		144	(2)	–	(1)	(3)	(2.1)	141	

Figure 8.V
Distribution of proposed resources for 2021 (before recosting)
 (Number of posts/thousands of United States dollars)



Variance analysis by component and subprogramme

Overall resource changes

Technical adjustments

8.127 As reflected in tables 8.25 (1) and 8.26 (1), resource changes reflect a net decrease of \$723,100 related to the removal of non-recurrent provisions for 2020 under subprogrammes 4 and 6, as follows:

- (a) **Subprogramme 4, Law of the sea and ocean affairs.** The net decrease of \$523,100 relates to:
- (i) A decrease of \$249,700 under post resources, relating to the abolishment of two temporary posts (one Programme Management Officer (P-3) and one Programme Management Assistant (General Service (Other level))), which were approved for the second cycle (covering the period 2017–2020) of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, pursuant to General Assembly resolution [71/257](#);
 - (ii) A decrease of \$273,400 under non-post resources, relating to consultants (\$32,000), travel of staff (\$22,000), travel of meeting participants under fellowships, grants and contributions (\$155,000), contractual services (\$46,600), general operating costs (\$2,500) and supplies and materials (\$1,000), which were also approved pursuant to resolution [71/257](#), and consultancy services (\$14,300) that were approved for the preparation of the technical and scientific aspects of the report of the Secretary-General addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks to be submitted for consideration by the General Assembly at its seventy-fifth session pursuant to resolution [73/125](#);
- (b) **Subprogramme 6, Custody, registration and publication of treaties.** The decrease of \$200,000 under non-post resources relates to other staff costs for the removal of the provision of general temporary assistance that was approved for the preparation of the substantive report on strengthening and promoting the international treaty framework, to be submitted pursuant to General Assembly resolution [73/210](#).

New and expanded mandates

- 8.128 As reflected in table 8.25 (1), resource changes reflect a non-recurrent increase of \$22,000 under subprogramme 4, Law of the sea and ocean affairs, which would provide for consultancy services for the preparation of the technical and scientific aspects of the report of the Secretary-General to be submitted under the sub-item entitled “Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments”, of the item entitled “Oceans and the law of the sea”, pursuant to General Assembly resolution [74/18](#).

Other changes

- 8.129 As reflected in tables 8.25 (1) and 8.26 (1), resource changes reflect a net decrease of \$45,900, under subprogrammes 2 and 6, as follows:
- (a) **Subprogramme 2, General legal services provided to United Nations organs and programmes.** The decrease of \$77,500 under post resources relates to the proposed abolishment of one post of Legal Assistant (General Service (Other level)), effective 1 March 2021. The abolishment is the result of a redistribution of work in the subprogramme;
 - (b) **Subprogramme 6, Custody, registration and publication of treaties.** The increase of \$31,600 under post resources relates to the proposed reclassification of one post of Associate Editor (P-2) as a post of Editor (P-3), which is required to enable the Office to comply with administrative instruction [ST/AI/2000/1](#) on special conditions for recruitment or placement of candidates successful in a competitive examination for posts requiring special language skills. The proposed reclassification would better reflect the complexities and responsibilities of the post, which entails the detailed review of complex legal documents in almost 100 different languages to ascertain the accuracy and completeness of the text reproduced in the United Nations *Treaty Series* and to ensure compliance with United Nations editorial standards. In addition, the reclassification would address the increased requirements from the significant number of registered treaties and the increased complexity of related editorial and proofreading tasks. The translation of treaties into English and French is required for the publication of the

Treaty Series under the regulations to give effect to Article 102 of the Charter of the United Nations. The hiring of experienced Editors, with familiarity with United Nations editorial standards and understanding of complex legal issues, would ensure the efficient handling of volumes and the avoidance of delays in the production of the *Treaty Series*.

Other assessed and extrabudgetary resources

- 8.130 As reflected in tables 8.25 (2) and 8.26 (2), projected other assessed resources for 2021 of \$4,091,300, including 20 posts, will be utilized to support the activities of the Office in peacekeeping missions and the International Residual Mechanism for Criminal Tribunals. This reflects an increase of \$496,900 compared with the estimate for 2020, owing to updated standard salary costs (see [A/74/743](#), paras. 44–48). Other assessed resources represent 10.4 per cent of the total resources for this programme.
- 8.131 Additionally, as reflected in tables 8.25 (3) and 8.26 (3), the Office receives extrabudgetary cash and in-kind contributions, which complement regular budget resources and continue to be vital for the delivery of its mandates. In 2021, projected extrabudgetary resources (cash contributions) of \$8,595,800, including 28 posts, are expected to be received, which will support the Office in providing legal advice and assistance to facilitate the implementation of substantive mandates and protect the legal interests and minimize the legal liabilities of the United Nations, including, but not limited to, legal support and assistance in response to requests made by principal and subsidiary organs of the United Nations; meeting the significant demand for international law training and dissemination under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law; promoting and strengthening the law of the sea for the peaceful use of the oceans and sustainable development; and providing support with regard to the progressive improvement, harmonization, understanding, knowledge, interpretation and application of international trade law and the coordination of the work of international organizations active in that field. Extrabudgetary resources represent 21.8 per cent of the total resources for this programme.
- 8.132 Anticipated in-kind contributions with an estimated value of \$32,034 will provide for donated right-to-use arrangements under a memorandum of understanding between the United Nations, the Ministry of Justice of the Republic of Korea and the city of Incheon regarding the operation of and financial contributions to the UNCITRAL Regional Centre for Asia and the Pacific.

Policymaking organs

- 8.133 The resources proposed under this component would provide for requirements relating to standing intergovernmental organs and expert bodies. Table 8.28 provides information on the standing intergovernmental organs and related resource requirements under the regular budget.

Table 8.28
Policymaking organs
 (Thousands of United States dollars)

<i>Policymaking organ</i>	<i>Description</i>	<i>Additional information</i>	<i>2020 appropriation</i>	<i>2021 estimate (before recosting)</i>
International Law Commission	Pursuant to Article 13, paragraph 1 (a), of the Charter of the United Nations, the General Assembly, by its resolution 174 (II), established the International Law Commission and approved its statute (see resolution 174 (II), annex, as amended by resolutions 485 (V), 984 (X), 985 (X) and 36/39). The Commission has as its objective the promotion of the progressive	Mandate: Article 13 (1) (a) of the Charter of the United Nations Membership: 34 experts Number of sessions in 2021: 1 session, 10–12 weeks' duration	1 634.1	1 634.1

Part III International justice and law

<i>Policymaking organ</i>	<i>Description</i>	<i>Additional information</i>	<i>2020 appropriation</i>	<i>2021 estimate (before recosting)</i>
	development of international law and its codification. It consists of 34 members who are persons of recognized competence in international law. The Commission holds an annual session in Geneva of 10 to 12 weeks' duration and reports to the Assembly, which provides guidance to the Commission on its programme of work through annual resolutions on the reports of the Commission. Since 2000, as mandated by the Assembly, the Commission has held split annual sessions up to a total of 12 weeks. The length of the session is recommended by the Commission at its previous session and approved by the Assembly. The Codification Division of the Office of Legal Affairs provides the substantive servicing of the Commission.			
United Nations Commission on International Trade Law	Comprising 60 Member States, the United Nations Commission on International Trade Law is mandated, pursuant to General Assembly resolution 2205 (XXI), to further the progressive harmonization and modernization of the law of international trade, which corresponds to subprogramme 5. The Commission carries out its tasks, with assistance of the International Trade Law Division as its secretariat, in one annual meeting of up to four weeks' duration and in six working group meetings on specialized topics of up to 12 weeks' duration per year.	Mandate: General Assembly resolution 2205 (XXI) Membership: 60 Member States Number of sessions in 2021: 1	135.5	135.5
Total			1 769.6	1 769.6

8.134 The proposed regular budget resources for 2021 amount to \$1,769,600. Additional details are reflected in table 8.29 and figure 8.VI.

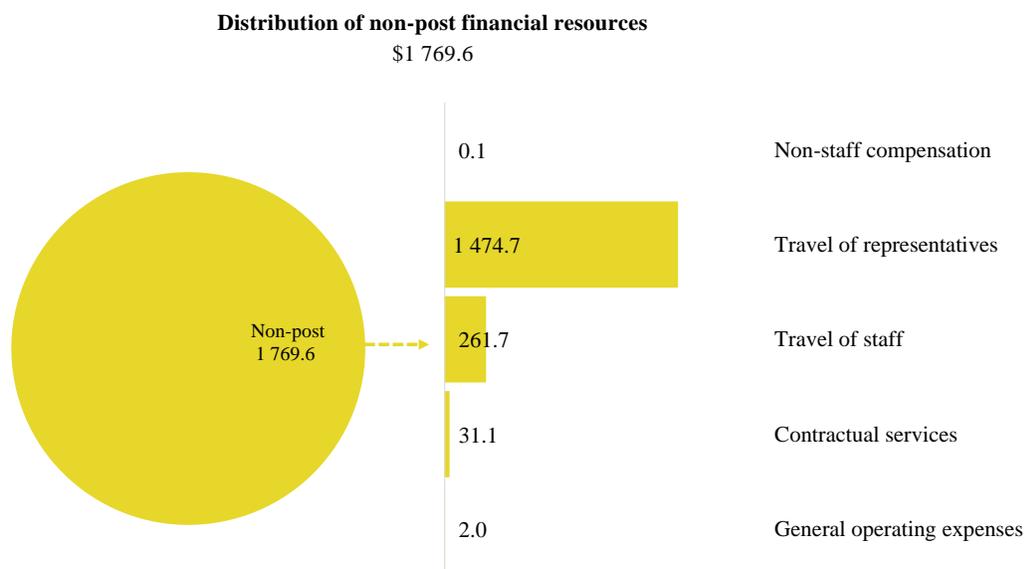
Table 8.29
Policymaking organs: evolution of financial resources

(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	Percentage	
Non-post	1 602.6	1 769.6	–	–	–	–	–	1 769.6
Total	1 602.6	1 769.6	–	–	–	–	–	1 769.6

Figure 8.VI
Policymaking organs: distribution of proposed resources for 2021 (before recosting)

(Thousands of United States dollars)



Executive direction and management

- 8.135 The Under-Secretary-General for Legal Affairs, the Legal Counsel, is responsible for the overall policy direction, supervision, administration and management of the Office of Legal Affairs. He represents the Secretary-General at meetings and conferences of a legal nature and in judicial and arbitral proceedings, certifies legal instruments issued on behalf of the United Nations, convenes meetings of the legal advisers of the United Nations system and represents the Organization at such meetings.
- 8.136 The Office of the Under-Secretary-General for Legal Affairs supports the Legal Counsel in the timely discharge of his responsibilities and in the management of the Office of Legal Affairs, which includes monitoring the resources of the Office to address changing organizational needs and workload and to improve the Office’s management systems. The Office of the Under-Secretary-General supports the Legal Counsel in formulating recommendations to the Secretary-General in interdepartmental and inter-agency bodies, in the coordination of the United Nations Legal Advisers Network and in the provision of legal advice to high-level inter-agency bodies. Through its new Evaluation and Strategic Planning Unit, the Office ensures the consistent monitoring and self-evaluation of subprogrammes and supports subprogrammes with the identification, development and review of monitoring and self-evaluation methodologies and practices. The Unit also coordinates the newly created working groups on monitoring and evaluation and on the Sustainable Development Goals within the Office of Legal Affairs. The Office of the Under-Secretary-General acts as the focal point for information on all aspects of the work of the Office of Legal Affairs, coordinates interdepartmental activities and consults and negotiates with other departments, offices, subsidiary bodies and related agencies of the United Nations system on matters of mutual concern.
- 8.137 As part of its commitment to the aims and goals of the 2030 Agenda for Sustainable Development and international agreements on climate change and the protection of the environment, the Office is integrating environmental management practices into its operations, including by decreasing its carbon footprint by: (a) encouraging the use of videoconference facilities for interviews and meetings; (b) reducing print services and ensuring that all printers are set to double-sided printing; and (c) encouraging staff to turn off computers and monitors at the end of the work day. Information

on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 8.30. The Office has continued to make efforts to sensitize staff members and encourage early planning of meetings and conferences whenever possible. Normally, staff of the Office plan their trips with sufficient time. However, the nominations by Member States for meeting participants and representatives to conferences are frequently submitted after the normal deadline for processing. In addition, in 2019 and 2020, travel timeliness has been impacted by the liquidity situation of the programme budget, where the normal ticketing of travel cannot proceed owing to lack of funds.

Table 8.30
Compliance rate
(Percentage)

	<i>Planned 2019</i>	<i>Actual 2019</i>	<i>Planned 2020</i>	<i>Planned 2021</i>
Timely submission of documentation	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	100	78.5	100	100

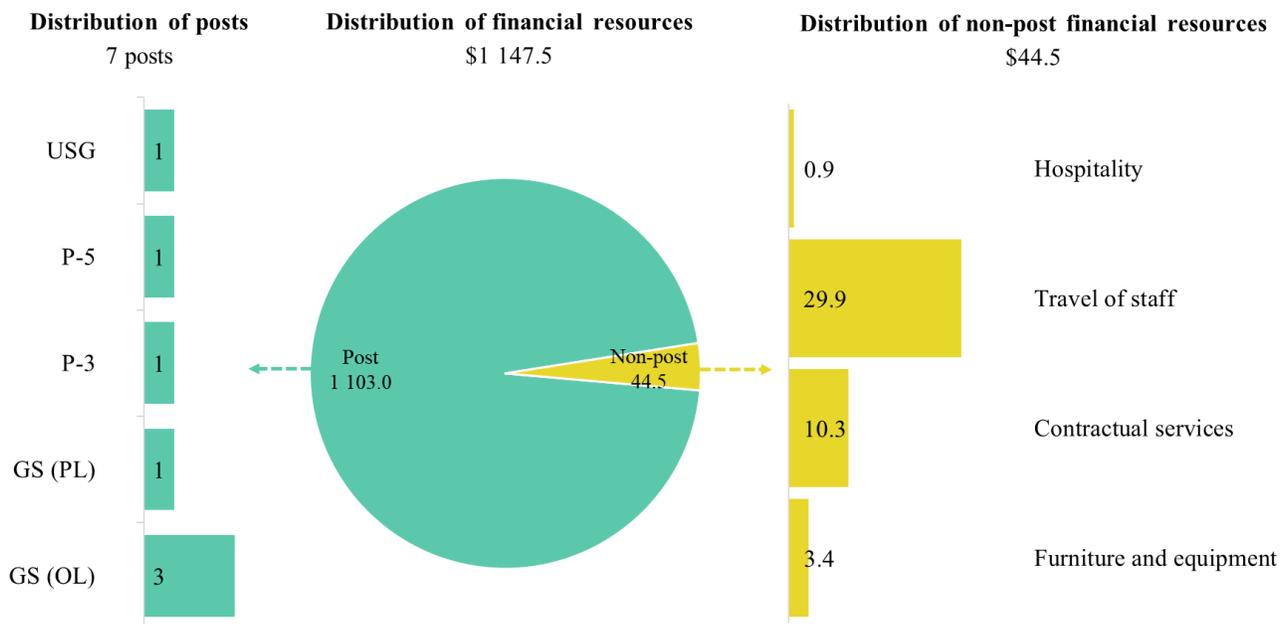
8.138 The proposed regular budget resources for 2021 amount to \$1,147,500 and reflect no change in the resource level compared with the appropriation for 2020. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.31 and figure 8.VII.

Table 8.31
Executive direction and management: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	<i>2019 expenditure</i>	<i>2020 appropriation</i>	<i>Changes</i>					<i>2021 estimate (before recosting)</i>
			<i>Technical adjustments</i>	<i>New/expanded mandates</i>	<i>Other</i>	<i>Total</i>	<i>Percentage</i>	
Financial resources by main category of expenditure								
Post	1 006.5	1 103.0	–	–	–	–	–	1 103.0
Non-post	44.0	44.5	–	–	–	–	–	44.5
Total	1 050.5	1 147.5	–	–	–	–	–	1 147.5
Post resources by category								
Professional and higher		3	–	–	–	–	–	3
General Service and related		4	–	–	–	–	–	4
Total		7	–	–	–	–	–	7

Figure 8.VII
Executive direction and management: distribution of proposed resources for 2021 (before recosting)

(Number of posts/thousands of United States dollars)

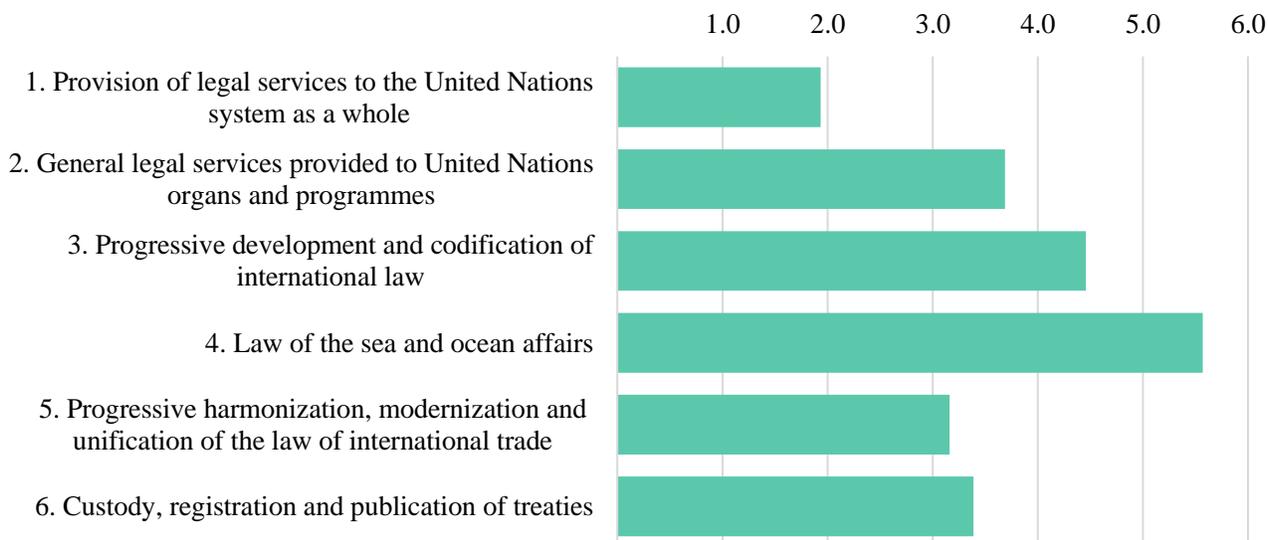


Programme of work

8.139 The proposed regular budget resources for 2021 amount to \$22,198,900 and reflect a net decrease of \$747,000 compared with the appropriation for 2020. The proposed decrease of \$747,000 is explained in paragraphs 8.127 to 8.129 above. The distribution of resources by subprogramme is reflected in figure 8.VIII.

Figure 8.VIII
Distribution of proposed resources for 2021 by subprogramme

(Millions of United States dollars)



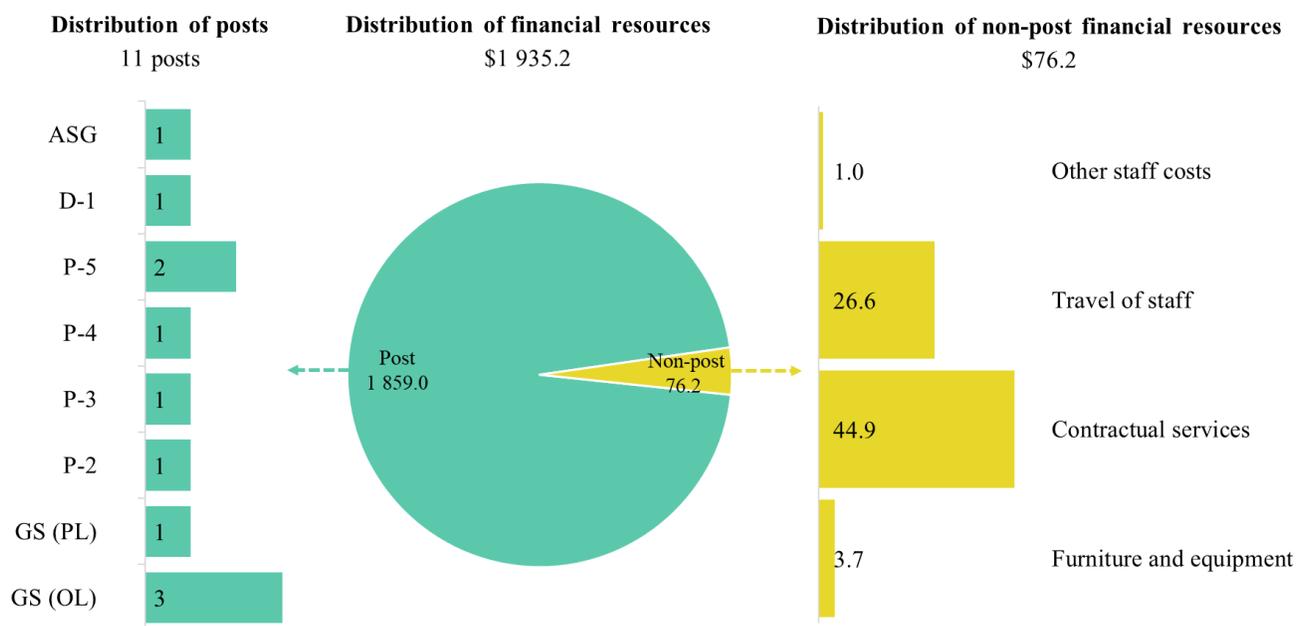
Subprogramme 1 Provision of legal services to the United Nations system as a whole

8.140 The proposed regular budget resources for 2021 amount to \$1,935,200 and reflect no change in the resource level compared with the appropriation for 2020. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.32 and figure 8.IX.

Table 8.32
Subprogramme 1: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total Percentage	
Financial resources by main category of expenditure							
Post	1 864.8	1 859.0	–	–	–	–	1 859.0
Non-post	55.3	76.2	–	–	–	–	76.2
Total	1 920.1	1 935.2	–	–	–	–	1 935.2
Post resources by category							
Professional and higher		7	–	–	–	–	7
General Service and related		4	–	–	–	–	4
Total		11	–	–	–	–	11

Figure 8.IX
Subprogramme 1: distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



Subprogramme 2 General legal services provided to United Nations organs and programmes

8.141 The proposed regular budget resources for 2021 amount to \$3,689,200 and reflect a decrease of \$77,500 compared with the appropriation for 2020. The proposed decrease of \$77,500 is explained in paragraph 8.129 (a) above. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.33 and figure 8.X.

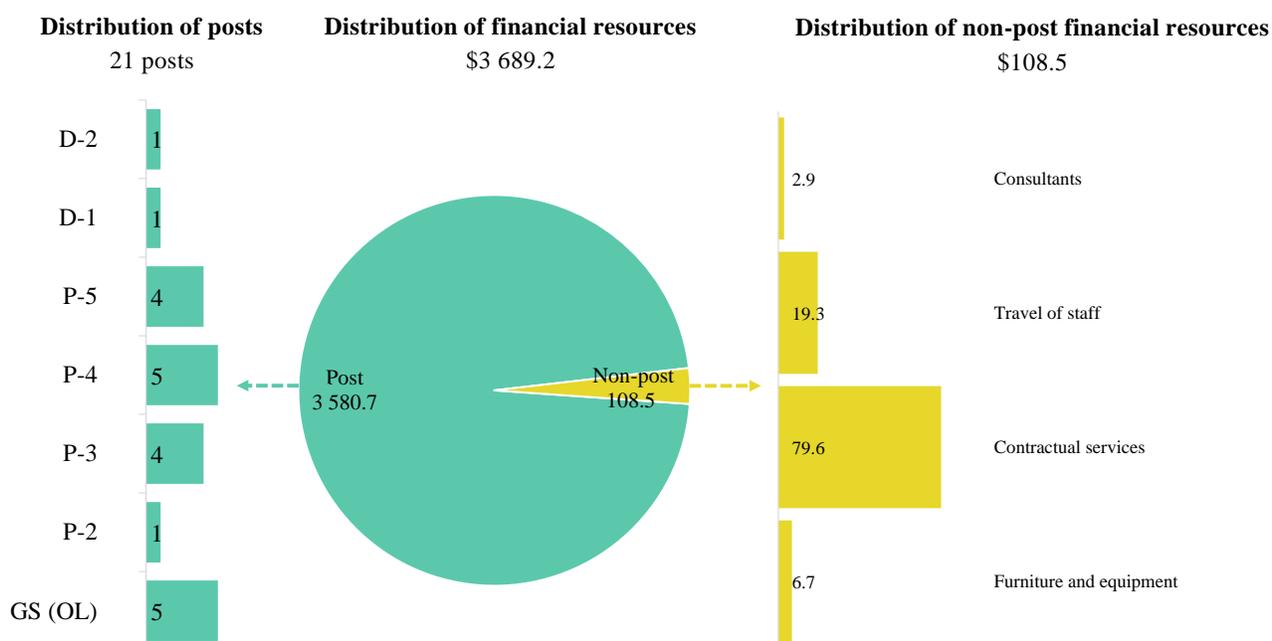
Table 8.33
Subprogramme 2: evolution of financial and post resources

(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total		Percentage
Financial resources by main category of expenditure								
Post	3 370.1	3 658.2	–	–	(77.5)	(77.5)	(2.1)	3 580.7
Non-post	70.6	108.5	–	–	–	–	–	108.5
Total	3 440.7	3 766.7	–	–	(77.5)	(77.5)	(2.1)	3 689.2
Post resources by category								
Professional and higher		16	–	–	–	–	–	16
General Service and related		6	–	–	(1)	(1)	(16.7)	5
Total		22	–	–	(1)	(1)	(4.5)	21

Figure 8.X
Subprogramme 2: distribution of proposed resources for 2021 (before recosting)

(Number of posts/thousands of United States dollars)



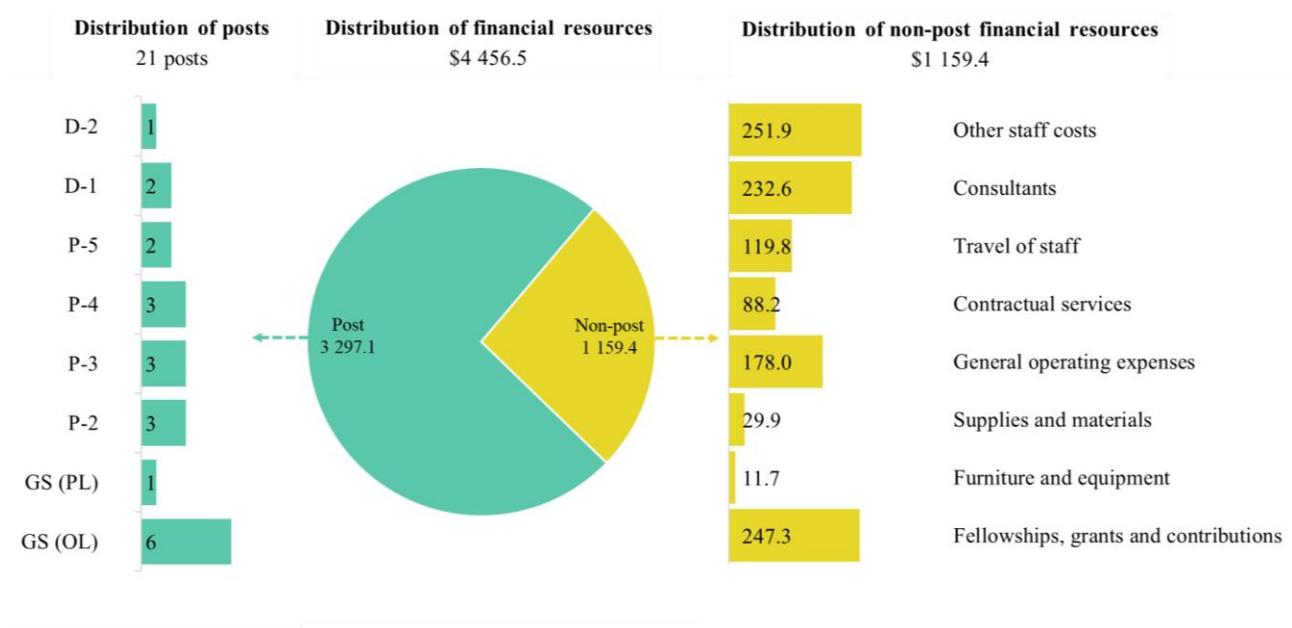
Subprogramme 3 Progressive development and codification of international law

8.142 The proposed regular budget resources for 2021 amount to \$4,456,500 and reflect no change in the resource level compared with the appropriation for 2020. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.34 and figure 8.XI.

Table 8.34
Subprogramme 3: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Post	2 995.6	3 297.1	–	–	–	–	–	3 297.1
Non-post	919.4	1 159.4	–	–	–	–	–	1 159.4
Total	3 915.0	4 456.5	–	–	–	–	–	4 456.5
Post resources by category								
Professional and higher		14	–	–	–	–	–	14
General Service and related		7	–	–	–	–	–	7
Total		21	–	–	–	–	–	21

Figure 8.XI
Subprogramme 3: distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



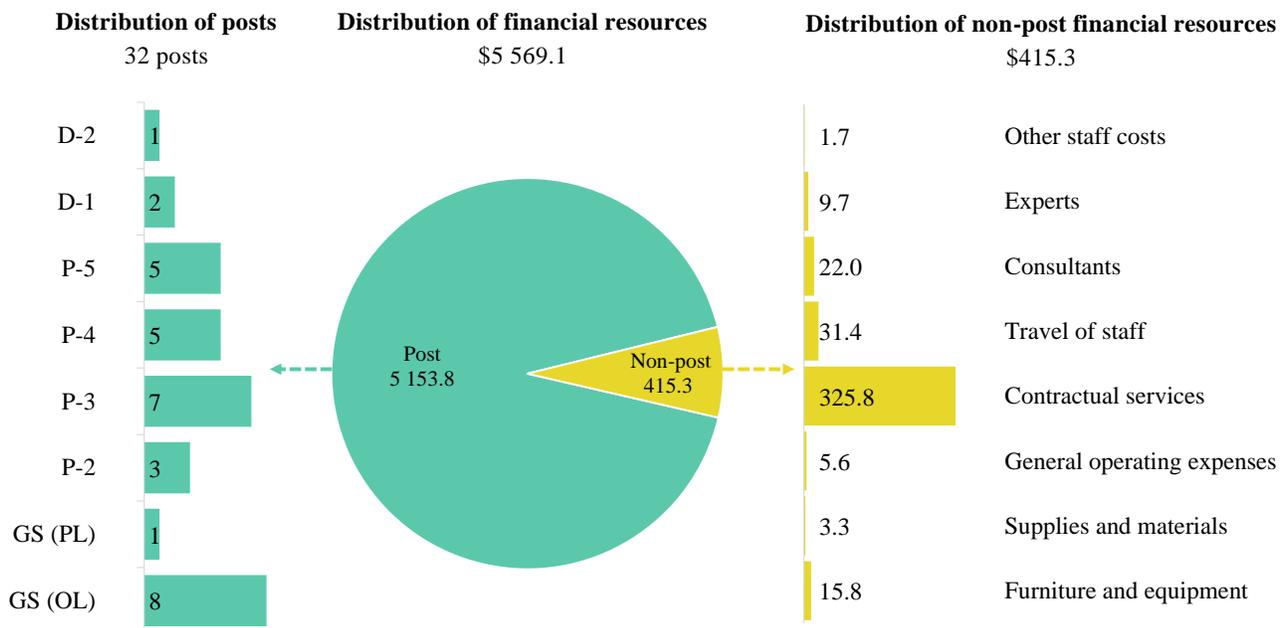
**Subprogramme 4
Law of the sea and ocean affairs**

8.143 The proposed regular budget resources for 2021 amount to \$5,569,100 and reflect a net decrease of \$501,100 compared with the appropriation for 2020. The proposed decrease of \$501,100 is explained in paragraphs 8.127 (a) and 8.128 above. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.35 and figure 8.XII.

Table 8.35
Subprogramme 4: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total Percentage		
Financial resources by main category of expenditure								
Post	5 223.7	5 403.5	(249.7)	–	–	(249.7)	(4.6)	5 153.8
Non-post	470.6	666.7	(273.4)	22.0	–	(251.4)	(37.7)	415.3
Total	5 694.3	6 070.2	(523.1)	22.0	–	(501.1)	(8.3)	5 569.1
Post resources by category								
Professional and higher		24	(1)	–	–	(1)	(4.2)	23
General Service and related		10	(1)	–	–	(1)	(10.0)	9
Total		34	(2)	–	–	(2)	(5.9)	32

Figure 8.XII
Subprogramme 4: distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



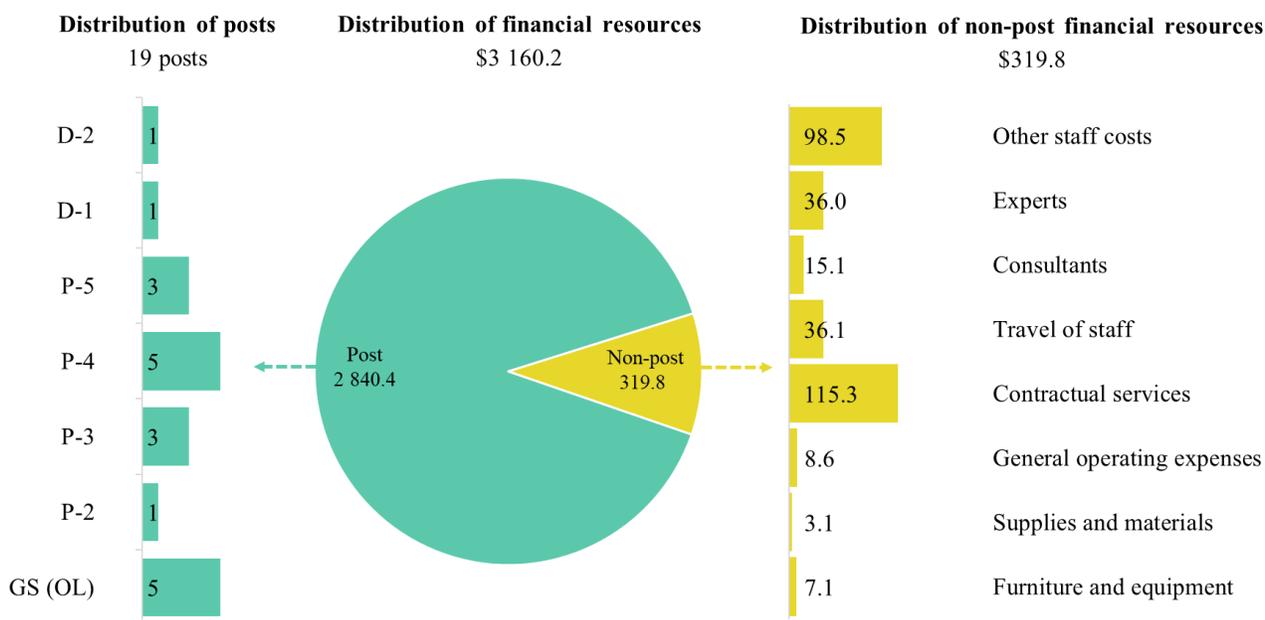
Subprogramme 5 Progressive harmonization, modernization and unification of the law of international trade

8.144 The proposed regular budget resources for 2021 amount to \$3,160,200 and reflect no change in the resource level compared with the appropriation for 2020. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.36 and figure 8.XIII.

Table 8.36
Subprogramme 5: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Post	2 910.6	2 840.4	–	–	–	–	–	2 840.4
Non-post	271.7	319.8	–	–	–	–	–	319.8
Total	3 182.3	3 160.2	–	–	–	–	–	3 160.2
Post resources by category								
Professional and higher		14	–	–	–	–	–	14
General Service and related		5	–	–	–	–	–	5
Total		19	–	–	–	–	–	19

Figure 8.XIII
Subprogramme 5: distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



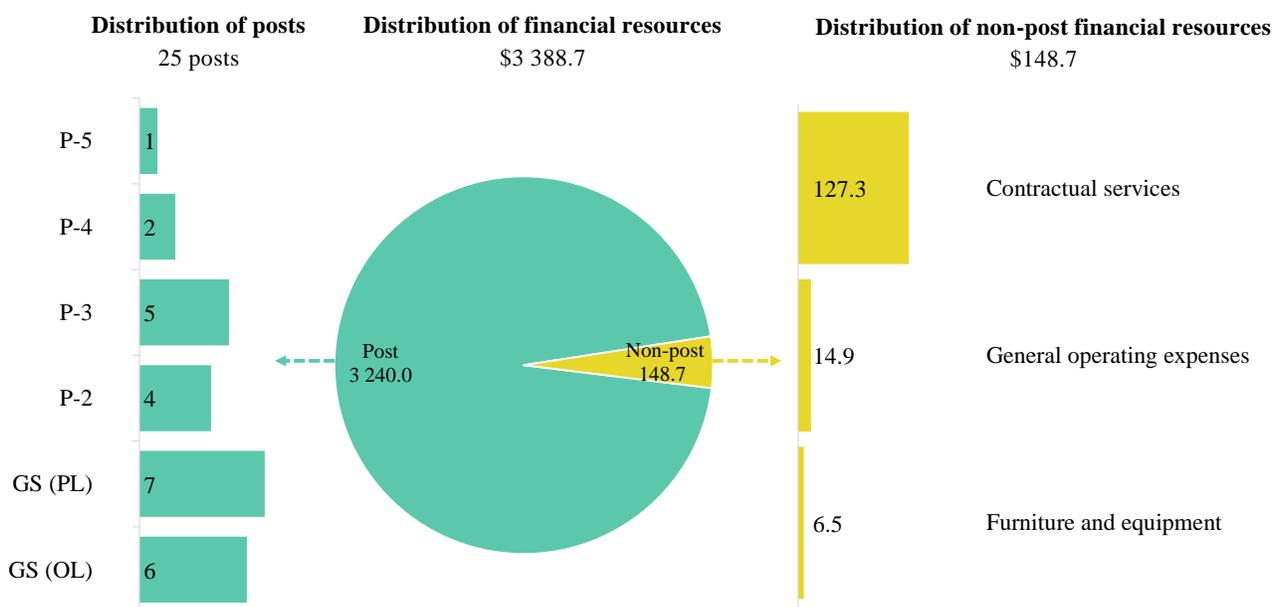
Subprogramme 6 Custody, registration and publication of treaties

8.145 The proposed regular budget resources for 2021 amount to \$3,388,700 and reflect a net decrease of \$168,400 compared with the appropriation for 2020. The proposed net decrease of \$168,400 is explained in paragraphs 8.127 (b) and 8.129 (b) above. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.37 and figure 8.XIV.

Table 8.37
Subprogramme 6: evolution of financial and post resources
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total		Percentage
Financial resources by main category of expenditure								
Post	3 081.1	3 208.4	–	–	31.6	31.6	1.0	3 240.0
Non-post	167.0	348.7	(200.0)	–	–	(200.0)	(57.4)	148.7
Total	3 248.1	3 557.1	(200.0)	–	31.6	(168.4)	(4.7)	3 388.7
Post resources by category								
Professional and higher		12	–	–	–	–	–	12
General Service and related		13	–	–	–	–	–	13
Total		25	–	–	–	–	–	25

Figure 8.XIV
Subprogramme 6: distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



Programme support

8.146 The Executive Office provides services to the Office of Legal Affairs in connection with personnel, budgetary and financial administration, resource planning and use of common services, together with administrative support for policymaking organs and other international meetings, as required.

8.147 The proposed regular budget resources for 2021 amount to \$905,500 and reflect no change in the resource level compared with the appropriation for 2020. Additional details on the distribution of proposed resources for 2021 are reflected in table 8.38 and figure 8.XV.

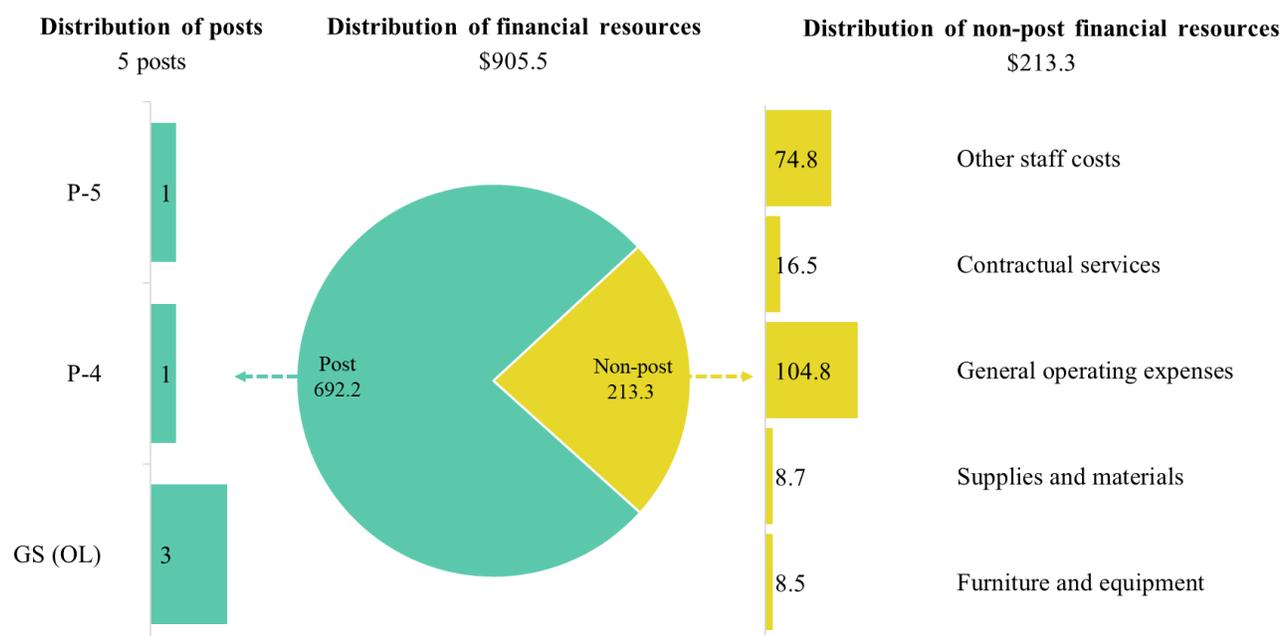
Table 8.38
Programme support: evolution of financial and post resources

(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	
Financial resources by main category of expenditure							
Post	773.2	692.2	–	–	–	–	692.2
Non-post	140.9	213.3	–	–	–	–	213.3
Total	914.1	905.5	–	–	–	–	905.5
Post resources by category							
Professional and higher		2	–	–	–	–	2
General Service and related		3	–	–	–	–	3
Total		5	–	–	–	–	5

Figure 8.XV
Programme support: distribution of proposed resources for 2021 (before recosting)

(Number of posts/thousands of United States dollars)



II. Independent Investigative Mechanism for Myanmar

Foreword

The proposed programme budget for 2021 represents an opportunity for the leadership of the Independent Investigative Mechanism for Myanmar to propose an allocation of resources to best match the vision and strategy for the implementation of its challenging mandate, which is to collect and analyse evidence of serious international crimes and violations of international law committed in Myanmar since 2011. The proposed programme budget reflects a number of changes to the budgets for 2019 and 2020, which were developed before any of the leadership or staff of the Mechanism had been recruited. These changes will ensure that the Mechanism has the necessary resources, personnel and expertise to meet the many operational challenges it faces in discharging its complex mandate.

On 1 July 2019, I commenced my functions as Head of the Mechanism, which itself entered into operation on 30 August 2019. Even in these early days of implementing the mandate, we have seen the critical importance of maintaining an open dialogue with victims, civil society and other stakeholders. We need to make sure that all those with an interest in or affected by the Mechanism's activities understand what we do and receive accurate information about the purpose of the Mechanism, the rules by which we operate, the kind of information we seek and what we plan to do with that information. It is thus essential that the Mechanism has among its staff members qualified and experienced communication professionals who can provide stakeholders with regular updates, including through social media and bulletins, about the Mechanism's goals, progress, challenges and results.

In 2019, the Mechanism was focused largely on developing its infrastructure, information technology capabilities, internal policies and protocols, and recruiting personnel with the required expertise to permit the efficient collection and analysis of evidence to begin. Looking forward to 2021, it is anticipated that the necessary foundations and infrastructure of the Mechanism will be fully in place before the start of the year. The Mechanism is expected to focus in 2021 on the implementation of its mandate to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, and prepare files in order to facilitate and expedite fair and independent criminal proceedings, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes.

(Signed) Nicholas **Koumjian**
Head of the Independent Investigative Mechanism for Myanmar

A. Proposed programme plan for 2021 and programme performance for 2019

Overall orientation

Mandates and background

- 8.148 The Independent Investigative Mechanism for Myanmar is responsible for collecting, consolidating, preserving and analysing evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, and preparing files in order to facilitate and expedite fair and independent criminal proceedings, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes. The mandate derives from the priorities established in relevant resolutions and decisions, including Human Rights Council resolution [39/2](#), and is further elucidated in the Mechanism's terms of reference as set out in the annex to a letter from the Secretary-General to the President of the General Assembly ([A/73/716](#)) and in a letter addressed to the President of the Human Rights Council.
- 8.149 The creation of the Mechanism was welcomed by the General Assembly in its resolution [73/264](#). The Human Rights Council, in its resolution [42/3](#), welcomed the entry into operation of the Mechanism on 30 August 2019 and called upon the United Nations to ensure that the Mechanism was afforded the necessary support and resources it needed in terms of staffing, location and operational freedom so it could deliver as effectively as possible on its mandate. The General Assembly, in its resolution [74/246](#), further called upon the United Nations to ensure that the Mechanism was afforded the flexibility that it needed in terms of staffing, location and operational freedom so it could deliver as effectively as possible on its mandate and also urged the Mechanism to swiftly advance its work.

Programme of work

Independent Investigative Mechanism for Myanmar

Objective

- 8.150 The objective, to which the Independent Investigative Mechanism for Myanmar contributes, is to ensure accountability of perpetrators and justice for victims of serious international crimes and violations of international law committed in Myanmar since 2011.

Strategy

- 8.151 To contribute to ensuring the accountability of perpetrators and justice for victims of serious international crimes and violations of international law committed in Myanmar since 2011, the Mechanism will implement a four-part strategy.
- 8.152 The Mechanism will collect, consolidate, and preserve information, documentation and evidence regarding serious international crimes and violations of international law committed in Myanmar since 2011. The Mechanism will seek material from other entities engaged in investigative, fact-finding and reporting activities, building upon the material received from the independent international fact-finding mission on Myanmar in September 2019. The Mechanism will also collect material from open sources, including from the Internet, news, public reporting and social media. As required and on the basis of cooperation arrangements with relevant Member States and stakeholders, the Mechanism will interview victims, witnesses and other individuals, and also obtain physical evidence and video/audiovisual, digital, electronic and forensic material. To retain the integrity of the evidence and ensure appropriate chain of custody, the Mechanism will consolidate

and preserve the collected material using appropriate information management tools and electronic databases. These activities will be carried out in line with internal protocols and procedures, consistent with the Charter of the United Nations, United Nations rules, regulations, policies and good practices, and relevant international law and jurisprudence, notably the security and well-being of victims and witnesses and the right to a fair trial and other due process provisions. The collection, consolidation and preservation of materials are expected to result in the availability of evidence, collected by an independent and impartial investigative body, that is well organized and meets general standards of admissibility for criminal proceedings in national, regional or international courts or tribunals against individuals who have allegedly committed serious international crimes and violations of international law in Myanmar. The preservation of materials is also expected to prevent the loss of important and relevant information, documentation and evidence.

- 8.153 The Mechanism will analyse information, documents and evidence relating to serious international crimes and violations of international law committed in Myanmar since 2011 and, where evidence shows individual criminal responsibility for serious international crimes or violations of international law, prepare case files in that regard. The Mechanism will assess the collected material on the basis of reliability and probative value, taking into account evidentiary and methodological standards and principles applicable in relevant national and international legal systems. It will also identify gaps in the information, documentation and evidence in its possession and obtain additional evidence as needed. On the basis of the analysis of the collected evidence, the Mechanism will prepare case files on individuals who have allegedly committed serious international crimes and violations of international law in Myanmar since 2011. In doing so, the Mechanism will act independently and impartially, and will not make any distinction based on the affiliation or official capacity of alleged perpetrators. The Mechanism will also seek to build case files that are representative of the magnitude or seriousness of crimes committed against various racial, ethnic and religious groups in Myanmar. The analysis of materials and the preparation of case files are expected to result in the identification of evidence that may be used by national, regional or international courts or tribunals in potential criminal proceedings against individuals who have allegedly committed serious international crimes and violations of international law in Myanmar.
- 8.154 The Mechanism will share materials and case files with national, regional or international courts or tribunals with jurisdiction over serious international crimes and violations of international law committed in Myanmar since 2011, in order to facilitate and expedite fair and independent criminal proceedings in accordance with international law standards. In line with its terms of reference (see [A/73/716](#), annex), the Mechanism will not share any information, documentation or evidence for use in criminal proceedings in which capital punishment could be imposed and carried out. The sharing of materials and case files is expected to result in the initiation of fair and independent criminal proceedings in national, regional or international courts or tribunals against individuals who have allegedly committed serious international crimes and violations of international law in Myanmar.
- 8.155 The Mechanism will ensure that its mandate, strategies and outputs are coherently explained and communicated to relevant stakeholders, in particular witness and victim groups, in accordance with its communications and public outreach strategy. The Mechanism will also seek to have an open communication channel with relevant stakeholders in order to receive their feedback, which will be taken into consideration, as appropriate and necessary, regarding the work of the Mechanism. The Mechanism's communications and public outreach activities are expected to result in a greater availability of information regarding the Mechanism, its challenges and accomplishments for relevant stakeholders, and to contribute to increased capacity to effectively implement the Mechanism's mandate.

External factors for 2021

- 8.156 With regard to the external factors, the overall plan for 2021 is based on the following planning assumptions:

- (a) Relevant Member States will allow the Mechanism to conduct activities within their territories, taking into account their concerns and the sensitivities involved;
 - (b) National, regional or international tribunals or courts have or may in the future have jurisdiction over the crimes within the mandate of the Mechanism, and the relevant authorities may request the sharing of materials or case files from the Mechanism.
- 8.157 The Mechanism integrates a gender perspective in its operational activities, deliverables and results, as appropriate. In this regard, the Mechanism is ensuring that sexual and gender-based crimes are incorporated across all its activities, from the collection, consolidation and preservation of materials to the analysis and preparation of case files. These crimes include sexual and gender-based crimes committed against women and girls as well as men and boys. In particular, the Mechanism ensures that victims and witnesses are provided appropriate protective and support measures to prevent them from being further harmed and traumatized.
- 8.158 With regard to cooperation with other entities, the Mechanism engages, in keeping with its mandate, with a number of governmental and non-governmental entities to seek information, documentation and evidence as well as to obtain support for the implementation of its mandate. A key element of the Mechanism's impartial and independent approach is to request such assistance from a diverse and wide range of entities. The cooperation of relevant Member States is of particular importance for the Mechanism with regard to its ability to carry out investigative activities, including accessing crime sites and interviewing witnesses in a manner that ensures their security and privacy, and to identify potential courts or tribunals which have or may in the future have jurisdiction over the crimes within the Mechanism's mandate.
- 8.159 With regard to inter-agency coordination and liaison, the Mechanism works, in keeping with its mandate, with international courts and other international accountability mechanisms to learn from their experiences and adapt their best practices for its own use. In particular, the Mechanism coordinates with these entities in the areas of information technology systems and data management; protocols regarding witness interviews, confidentiality and protection; and frameworks for the transfer of information, documentation and evidence from information providers. The Mechanism also coordinates with other United Nations entities working on issues relating to Myanmar.

Evaluation activities

- 8.160 The Mechanism did not conduct evaluation activities in 2019, as it did not become operational until 30 August 2019. During this initial start-up phase, the Mechanism's operations were not yet suitable for evaluation.
- 8.161 A self-evaluation of the effectiveness of the Mechanism's strategy for collecting evidence is planned for 2021.

Programme performance in 2019: access to information, documentation and evidence from diverse sources on serious international crimes and violations of international law committed in Myanmar since 2011

- 8.162 On 2 April 2019, the Secretary-General announced the appointment of the Head of the Mechanism, who officially commenced his functions on 1 July 2019. The Deputy Head of the Mechanism officially commenced her functions on 15 November 2019.
- 8.163 The Mechanism put in place a broad strategy and concept of operations with a view to becoming functional as quickly as possible. The concept of operations includes organizational, administrative and other internal support measures to enable the effective functioning of the Mechanism and the implementation of its mandate. In a letter dated 27 August 2019 to the President of the Human Rights Council, the Secretary-General deemed the Mechanism to be operational as of 30 August 2019.

- 8.164 On the basis of its broad strategy and concept of operations, the Mechanism carried out recruitment processes in line with its work requirements. These processes were sequenced with the aim of recruiting personnel with the specific expertise needed at particular stages as the Mechanism became operational and functional.
- 8.165 The Mechanism also established the initial electronic infrastructure to safely store the substantial volume of material received from the independent international fact-finding mission on Myanmar in September 2019. The Mechanism subsequently began reviewing and analysing the material in order to identify evidence for inclusion in case files that could be shared with national, regional or international courts or tribunals with jurisdiction to establish individual criminal responsibility for serious international crimes and violations of international law committed in Myanmar since 2011.
- 8.166 The Mechanism also identified national authorities, United Nations entities, international, regional and national institutions, non-governmental organizations, corporate and private sector entities, and other groups and individuals possessing or likely to possess information, documentation and evidence that are relevant to the Mechanism's mandate or that otherwise have the capacity to facilitate its work. The Mechanism requested information from these parties and initiated dialogue on the conditions under which it could be provided with the requested information. The Mechanism also commenced negotiations on frameworks for cooperation to enable the disclosure of information to the Mechanism. As part of these efforts, the Head of the Mechanism led a delegation to the Asia-Pacific region in November and December 2019 in order to meet with relevant national authorities and representatives of United Nations entities and to introduce the Mechanism's mandate, identify areas of potential cooperation and seek operational support for its activities.
- 8.167 Lastly, in response to a request from a prosecutorial authority, the Mechanism shared information and documentation received from the independent international fact-finding mission on Myanmar. This was done in accordance with the Mechanism's mandate and with the consent of the parties that provided the information to the fact-finding mission.

Progress towards the attainment of the objective, and performance measure

- 8.168 The work of the Mechanism contributed to ensuring the accountability of perpetrators and justice for victims of serious international crimes and violations of international law committed in Myanmar since 2011, as demonstrated by progress in the initiation of dialogue with parties on cooperative arrangements for accessing information, documentation and evidence as well as obtaining other forms of operational support. Such cooperation is required for the Mechanism to collect and analyse material as well as to prepare case files for eventual sharing with national, regional or international courts or tribunals. In this context, various parties have started to provide information, documentation and evidence relevant to the Mechanism's mandate.

Table 8.39
Performance measure

2015	2016	2017	2018	2019
N/A	N/A	N/A	N/A	Member States, international organizations, non-governmental organizations, United Nations entities and private sector entities engaged with the Mechanism, in particular with regard to frameworks for cooperation to enable the disclosure of information to the Mechanism

Abbreviation: N/A, not applicable.

Planned results for 2021

Result 1: cooperative frameworks for the collection, preservation and storage of information, documentation and evidence (result carried over from 2020)

- 8.169 The Mechanism will continue the work related to its efforts and dialogue with regard to the conclusion of cooperation agreements, in line with its mandate, and will seek to establish cooperative frameworks for the collection, organization, preservation and storage of relevant information, documentation and evidence, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Table 8.40
Performance measure

2017	2018	2019	2020	2021
N/A	Adoption of Human Rights Council resolution 39/2	Initiation of dialogue with parties	Agreement of parties to cooperative frameworks for the collection, preservation and storage of information, documentation and evidence	Access to sources of information, documentation and evidence

Abbreviation: N/A, not applicable.

Result 2: collection and consolidation of information, documentation and evidence of serious international crimes and violations of international law committed in Myanmar since 2011 (new result)

- 8.170 In 2021, the Mechanism will continue collecting, consolidating and analysing information, documentation and evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011. As the mandate is ongoing, the Mechanism will closely monitor events in Myanmar and be prepared to conduct appropriate activities, should additional international crimes within its mandate be committed, to collect and preserve evidence of such crimes. In 2021, the Mechanism will shift its focus from reviewing information already in its possession and devising strategies to build cases, to collecting additional evidence needed to prove all elements of these cases. As most of this evidence is in the Asia-Pacific region, and the Mechanism is based in Geneva, it will need to work with regional States and devise strategies to overcome this challenge and gain access to persons who can provide evidence efficiently, effectively and safely. This will require increased travel to the region by the Mechanism's staff and leadership, while technologies that might permit some evidence to be gathered remotely are also explored.
- 8.171 In 2021, the Mechanism will also continue to consolidate the information, documentation and evidence collected by further developing its electronic database and ensuring the security and integrity of the information, documentation and evidence it collects. The database will serve as the primary tool for the Mechanism to preserve the significant volume of materials and data collected and will also enable such information to be well organized to easily facilitate the analysis of complex crimes and the preparation of case files.
- 8.172 In addition, in 2021, the Mechanism will continue its efforts to communicate with relevant stakeholders about its work, methodology and expected outputs as well as its strategy moving forward, while at the same time ensuring the confidentiality of its work. A key component of these efforts will be the Mechanism's engagement with civil society organizations through a structured forum. The Mechanism will also continue to use its website and social media platforms and issue regular informative bulletins. On an ongoing basis, the Mechanism will assess and adjust its communications and public outreach activities.

Internal challenge and response

- 8.173 The challenge for the Mechanism has been to collect evidence of crimes in Myanmar, the State where the alleged crimes were committed and where many of the relevant witnesses are located. In response and to overcome this challenge, the Mechanism will continue to look at all alternative sources of information about the crimes, seek access to witnesses located in other countries and make innovative use of publicly available sources of information. The Mechanism will also continue to reach out to and seek the cooperation of the Government of Myanmar while demonstrating its own objectivity and professionalism. At the same time, the Mechanism will continue to seek the cooperation of other Member States in the region and beyond, taking into account the legitimate concerns and the sensitivities involved in cooperation on criminal investigations.

Expected progress towards the attainment of the objective, and performance measure

- 8.174 The work of the Mechanism is expected to contribute to ensuring the accountability of perpetrators and justice for victims of serious international crimes and violations of international law committed in Myanmar since 2011, which would be demonstrated by an agreement of Member States, through the conclusion of formal or informal frameworks, to allow the Mechanism access to their territories. This will enable the Mechanism to have greater and more diverse access to information, documentation and evidence regarding such crimes and, consequently, to make progress in collecting, consolidating, preserving and analysing such material.

Table 8.41
Performance measure

2017	2018	2019	2020	2021
N/A	Adoption of Human Rights Council resolution 39/2	Initiation of dialogue with parties	Agreement of parties to cooperative arrangements on access to information, documentation and evidence	Access to sources of information, documentation and evidence

Abbreviation: N/A, not applicable.

Legislative mandates

8.175 The list below provides all mandates entrusted to the Mechanism.

General Assembly resolutions

73/264	Situation of human rights in Myanmar	74/246	Situation of human rights of Rohingya Muslims and other minorities in Myanmar
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Human Rights Council resolutions

39/2 ; 42/3	Situation of human rights of Rohingya Muslims and other minorities in Myanmar
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Deliverables

8.176 Table 8.42 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.42

Independent Investigative Mechanism for Myanmar: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	2	2	2	2
1. Reports for the General Assembly	1	1	1	1
2. Reports for the Human Rights Council	1	1	1	1
Substantive services for meetings (number of three-hour meetings)	5	4	5	4
3. Meetings of the General Assembly	1	–	1	–
4. Meetings of the Human Rights Council	1	1	1	1
5. Meetings of the Advisory Committee on Administrative and Budgetary Questions	1	1	1	1
6. Meetings of the Committee for Programme and Coordination	1	1	1	1
7. Meetings of the Fifth Committee	1	1	1	1

Section 8 Legal affairs

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	–	–	6	–
8. Training of partners on the use of the Mechanism’s evidence system	–	–	6	–
Technical materials (number of materials)	–	–	6	13
9. Documents compiling evidence of international crimes	–	–	6	10
10. Documents compiling analysis of international crimes	–	–	–	3
C. Substantive deliverables				
Consultation, advice and advocacy: consultations with Member States and civil society about the Mechanism.				
Fact-finding, monitoring and investigation missions: investigation missions to collect information, documentation and evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, including by taking statements of victims and witnesses.				
Databases and substantive digital materials: database to consolidate, organize, preserve, verify and analyse relevant information and evidence.				
D. Communication deliverables				
Outreach programmes, special events and information materials: meetings and conferences with relevant stakeholders, in particular civil society organizations, to raise awareness about the Mechanism’s mandate and activities; and development of information material about the Mechanism and its work for general dissemination and material tailored to specific audiences in the relevant languages.				
External and media relations: press conferences and media interviews; participation in panels and events; provision of briefings to the diplomatic and academic communities on the progress of the Mechanism’s work.				
Digital platforms and multimedia content: updating of Mechanism’s website.				

B. Proposed post and non-post resource requirements for 2021

Overview

8.177 The proposed regular budget resources for 2021, including the breakdown of resource changes, as applicable, are reflected in tables 8.43 to 8.45.

Table 8.43

Financial resources

(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Other staff costs	1 260.6	8 902.6	–	–	(572.5)	(572.5)	(6.4)	8 330.1	218.7	8 548.8
Consultants	22.1	–	–	–	447.1	447.1	–	447.1	5.9	453.0
Travel of staff	275.2	394.0	–	–	148.8	148.8	37.8	542.8	10.3	553.1
Contractual services	431.1	52.7	–	–	1 124.5	1 124.5	2 133.8	1 177.2	15.8	1 193.0
General operating expenses	1 636.0	4 753.5	–	–	(3 961.2)	(3 961.2)	(83.3)	792.3	10.5	802.8
Supplies and materials	0.7	5.0	–	–	45.6	45.6	912.0	50.6	0.6	51.2
Furniture and equipment	325.1	–	–	–	783.9	783.9	–	783.9	10.4	794.3
Improvements to premises	1 165.1	–	–	–	–	–	–	–	–	–
Fellowships, grants and contributions	7.8	128.7	–	–	–	–	–	128.7	2.4	131.1
Total	5 123.6	14 236.5	–	–	(1 983.8)	(1 983.8)	(13.9)	12 252.7	274.6	12 527.3

Table 8.44

Changes in general temporary assistance positions^a

	Number	Level
Approved for 2020	58	1 ASG, 1 D-1, 4 P-5, 7 P-4, 19 P-3, 8 P-2, 10 P-1, 8 GS (OL)
Abolishment	(5)	5 P-1
Establishment	3	1 P-4 and 2 P-3
Reassignment	–	2 P-4, 2 P-3, 3 P-2
Proposed for 2021	56	1 ASG, 1 D-1, 4 P-5, 8 P-4, 21 P-3, 8 P-2, 5 P-1, 8 GS (OL)

^a Details on justifications for changes in general temporary assistance positions are reflected in annex III.

Note: The following abbreviations are used in tables and figures: ASG, Assistant Secretary - General; GS (OL), and General Service (Other level).

Table 8.45
General temporary assistance positions

Category	2020 approved	Changes				Total	2021 proposed
		Technical adjustments	New/expanded mandates	Other			
Professional and higher							
ASG	1	–	–	–	–	1	
D-1	1	–	–	–	–	1	
P-5	4	–	–	–	–	4	
P-4	7	–	–	1	1	8	
P-3	19	–	–	2	2	21	
P-2/1 ^a	18	–	–	(5)	(5)	13	
Subtotal	50	–	–	(2)	(2)	48	
General Service							
Other level	8	–	–	–	–	8	
Subtotal	8	–	–	–	–	8	
Total	58	–	–	(2)	(2)	56	

^a Includes 10 P-1 and 8 P-2 approved in 2020, and 5 P-1 and 8 P-2 proposed for 2021.

8.178 Additional details on the distribution of proposed resources for 2021 are reflected in table 8.46 and figure 8.XVI.

8.179 As reflected in tables 8.43 and 8.46, the overall resources proposed for 2021 amount to \$12,252,700 before recosting, reflecting a net decrease of \$1,983,800 (or 13.9 per cent) compared with the appropriation for 2020, as detailed in paragraph 8.180. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

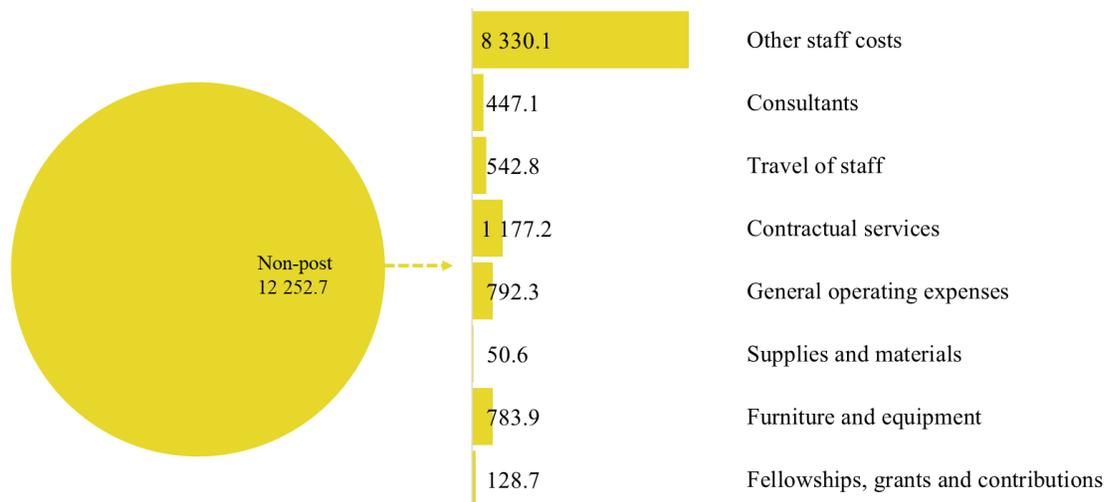
Table 8.46
Evolution of financial resources and general temporary assistance positions by category

(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				Total	Percentage	2021 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other				
Financial resources by main category of expenditure									
Non-post	5 123.6	14 236.5	–	–	(1 983.8)	(1 983.8)	(13.9)	12 252.7	
Total	5 123.6	14 236.5	–	–	(1 983.8)	(1 983.8)	(13.9)	12 252.7	
General temporary assistance positions by category									
Professional and higher		50	–	–	(2)	(2)	(4.0)	48	
General Service and related		8	–	–	–	–	–	8	
Total		58	–	–	(2)	(2)	(3.4)	56	

Figure 8.XVI
Distribution of proposed resources for 2021 (before recosting)

(Thousands of United States dollars)



Variance analysis

Overall resource changes

Other changes

8.180 As reflected in tables 8.43 and 8.46, resource changes reflect a net decrease of \$1,983,800, as follows:

- (a) A decrease of \$4,533,700 relating to:
 - (i) Reduced requirements of \$3,961,200 under general operating expenses due to the discontinuation of the provision for the rental of premises and private building security services, as it was decided to build the Mechanism’s office space on the grounds of the Palais de Nations in Geneva;
 - (ii) Reduced net requirements of \$572,500 under other staff costs due to the proposed abolishment of five temporary positions of Associate Legal Officer (P-1) (\$615,500) and the reassignment of seven positions to better meet operational requirements (\$472,900) as detailed in subparagraphs d to j, partially offset by the proposed establishment of three general temporary positions (one Public Information Officer (P-4), one Editor (P-3) and one Legal Officer (P-3) as detailed in subparagraphs a to c to allow the Mechanism to have the necessary expertise at the appropriate levels so as to more effectively implement its mandate (\$273,600); and the provision for general temporary assistance resources to cover peak workload periods, such as preparing materials and case files under strict deadlines to support a request from a national, regional or international court or tribunal (\$242,300);
 - a. **Public Information Officer (P-4).** The position would be located in the Office of the Head of the Mechanism. The incumbent would report to the Head or Deputy Head of Entity and would manage the formulation and implementation of strategy, planning, development and provision of accurate and timely information to internal and external audiences with the objective of promoting awareness, understanding

- and support for the Mechanism's work; prepare or oversee the development of a diverse range of communication products across multiple platforms including digital, radio, television and print; handle aspects of media relations and public outreach; set up or help to establish regular systems of public outreach and communications to meet the needs of the Mechanism; establish and maintain a cooperative relationship with partners including victims representatives, civil society organizations and local and international journalists concerned with Myanmar issues; and serve as spokesperson and form strong partnerships with relevant parties to engender support for and advance the Mechanism's mandate;
- b. **Editor (P-3).** The position would be located in the Language Support Services Section and would report to the Deputy Head of the Mechanism or the Deputy's delegate. The incumbent would plan, organize and manage the work of the Section to ensure the quality and timeliness of the translation and interpretation services it provides, taking into account the high sensitivity and confidentiality of information in the possession of the Mechanism; develop glossaries; review and edit translations of evidentiary material and public information products for accuracy; and organize interpretation services for meetings and investigative activities, as required;
 - c. **Legal Officer (P-3).** The position would be located in the Collection, Analysis and Sharing Section. The Legal Officer would report to the Senior Legal Officer and would provide support on a variety of procedural and substantive legal matters such as conducting independent legal research and analysis; prepare or assist in the preparation of legal opinions/advice on a wide array of domestic and international criminal law issues; prepare or support the preparation of studies, briefs, reports, background papers and other legal material; review evidentiary material; and contribute to the planning and implementation of evidence collection activities, including conducting interviews of those who witnessed relevant events;
 - d. **Editor/Reviser (P-4) to Investigator (P-4).** The Editor/Reviser (P-4) would be reassigned as an Investigator in the Collection, Analysis and Sharing Section and report to the Chief of the Section. The Mechanism is proposing the establishment of an Editor (P-3) which would be at the appropriate level to provide efficient language services to the Mechanism. The reassigned Investigator would serve to strengthen the Mechanism's technical capacity to collect information, documentation and evidence relevant to serious international crimes and violations of international law committed in Myanmar since 2011, including by interviewing victims and witnesses and by drawing upon technical specialists. Duties would include planning and leading investigative activities, including identifying sources of information and gathering evidence; ensuring that material collected is preserved securely and in line with international criminal law standards; managing the work of investigators in the team; and liaising with investigative and judicial authorities, as appropriate;
 - e. **Information Systems Officer (P-4) to Legal Officer (P-4).** The Information Systems Officer (P-4) would be reassigned as a Legal Officer in the Collection, Analysis and Sharing Section and report to the Chief of the Section. The Mechanism is proposing this reassignment in coordination with the reassignment of an Associate Translator (P-2) as an Associate Information Systems Officer (P-2) which would be at the appropriate level to provide support for the development and ongoing maintenance of the Mechanism's electronic database for the collection and secure storage of information, documentation and evidence. The reassigned Legal Officer would serve to strengthen the Mechanism's technical capacity to collect and analyse information, documentation and evidence, and to prepare case files based on such materials. The incumbent would research and analyse procedural and substantive legal matters relevant to serious international crimes and violations of international law committed in Myanmar since 2011. Duties would include

- conducting independent legal research and analysis; preparing legal opinions/advice on a wide array of domestic and international criminal law issues; preparing studies, briefs, reports, background papers and other legal material; reviewing evidentiary material; managing the work of legal officers and associate legal officers on the team; and contributing to the planning and implementation of evidence collection activities, including conducting interviews with witnesses;
- f. **Security Information Analyst (P-3) to Witness Protection and Support Officer (P-3).** The Security Information Analyst (P-3) would be reassigned as a Witness Protection and Support Officer (P-3) within the Collection, Analysis and Sharing Section to ensure that appropriate protective and support measures are provided for victims and witnesses with whom the Mechanism engages. The incumbent would report to the Chief of the Section and would facilitate the protection of and support for witnesses, ensuring their safety and security as well as their well-being. Duties would include developing and implementing internal policies and standard operating procedures for the protection of and support for witnesses and victims; advising investigators on international standards for witness protection and support; making recommendations to senior management on aspects of investigative strategy, operational plans and protection measures; and carrying out threat and risk assessments;
- g. **Legal Officer (P-3) to Human Rights Officer (P-3).** A Legal Officer (P-3) would be reassigned as a Human Rights Officer (P-3) within the Collection, Analysis and Sharing Section to ensure that the Mechanism has the necessary specialized expertise on international human rights law relevant to the Mechanism's mandate, as elucidated in its terms of reference. The incumbent would report to the Chief of the Section. Duties would include researching issues of international human rights law relevant to serious international crimes and violations of international law committed in Myanmar since 2011; advising on the human rights aspects and implications of the Mechanism's work; analysing events in Myanmar and assessing their relevance to the Mechanism's mandate; collecting data on human rights and analysing that data and related indicators; reviewing evidentiary materials; and drafting reports, communications and other documents;
- h. **Associate Translator (P-2) to Associate Information Systems Officer (P-2).** An Associate Translator (P-2) would be reassigned as an Associate Information Systems Officer (P-2) in the Information Systems Management Section and report to the Chief of the Section. The incumbent would provide support for the development and ongoing maintenance of the Mechanism's electronic database for the collection and secure storage of information, documentation and evidence. Duties would include preparing user requirements and other technical specifications; maintaining assigned portions of systems; providing operational support for system applications, analysing and implementing system changes/upgrades; assisting in procurement processes, including conducting needs assessments and benchmarks; participating in help desk support services; and participating in the assessment and testing of new information technology tools. At the same time, the Language Support Services Section would be augmented as required through the use of external translation services;
- i. **Associate Translator (P-2) to Associate Public Information Officer (P-2).** An Associate Translator (P-2) would be reassigned as an Associate Public Information Officer (P-2) in the Office of the Head of Entity and report to the Public Information Officer (P-4) to enable the Mechanism to communicate its mandate, strategies and outputs to relevant stakeholders. The incumbent would assist with the formulation and implementation of strategy, planning, development and provision of accurate and timely information to internal and external audiences with the objective of promoting awareness, understanding and support for the Mechanism's work. She/he

would contribute to the development of a diverse range of communication products across multiple platforms including digital, radio, television and print; assist with aspects of media relations and public outreach; help to establish regular systems of public outreach and communications to meet the needs of the Mechanism; and assist in the establishment and maintenance of a cooperative relationship with partners including victims representatives, civil society organizations, and local and international journalists concerned with Myanmar issues. At the same time, the Language Support Services Section would be augmented as required through the use of external translation services;

- j. **Associate Translator (P-2) to Associate Witness Protection and Support Officer (P-2).** An Associate Translator (P-2) would be reassigned as an Associate Witness Protection and Support Officer (P-2) in the Collection, Analysis and Sharing Section and report to the Witness Protection and Support Officer (P-3). The incumbent would assist in facilitating the provision of psychosocial and other support measures for victims and witnesses with whom the Mechanism engages. Duties would include assisting in the development and implementation of internal policies and standard operating procedures relating to witnesses and victims; providing advice to investigators on international standards for witness support; contributing to aspects of investigative strategy, operational plans and protection measures; and organizing referral pathways for witness support services. At the same time, the Language Support Services Section would be augmented as required through the use of external translation services;

(b) The decrease is offset in part by an increase of \$2,549,900 relating to:

- (i) \$447,100 under consultants to provide services in areas where the expertise is not available in-house, such as highly specialized military, forensic, demographic, geospatial, psychosocial, financial and historical/cultural expertise;
- (ii) \$148,800 under travel of staff due to the Mechanism requiring, at this stage of its development, additional investigation missions;
- (iii) \$1,124,500 under contractual services, mainly to augment the existing provision of software services, data-processing services, and technical and language training;
- (iv) \$45,600 under supplies and materials, to provision access to digital libraries and related subscriptions not available from the Library of the United Nations Office at Geneva, as well as needs related to books and publications;
- (v) \$783,900 under furniture and equipment to cover the acquisition of add-on modules for operational and forensic analysis software; mission kits; evidence processing; and specialized computer workstations.

8.181 Information on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 8.47. In 2019, the Mechanism encountered challenges in complying with the air ticket advance purchase policy, as it was focused on starting operational activities as expeditiously as possible. Now that the Mechanism is operational, missions and other travels in 2020 are being planned well in advance and all travel is being scheduled to comply with the target rate.

Table 8.47
Compliance rate
(Percentage)

	<i>Planned 2019</i>	<i>Actual 2019</i>	<i>Planned 2020</i>	<i>Planned 2021</i>
Timely submission of documentation	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	100	12.1	100	100

III. International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011

Foreword

The Mechanism continues to make progress on the implementation of its mandate, as reflected in General Assembly resolution 71/248, to assist in the investigation and prosecution of the most serious crimes under international law in the Syrian Arab Republic. The creation of a central repository of information and evidence concerning the crimes falling within the mandate is well under way, facilitated by a number of cooperation frameworks that have been concluded with Member States, international organizations and civil society organizations. The Mechanism continues to diversify its evidence collection which, to date, contains more than two million searchable records and a preserved volume of information and evidence exceeding 49 terabytes.

The number of requests for assistance received from national criminal justice actors has continued to grow, and the Mechanism in turn continues to increase the efficiency and effectiveness of its responses. In parallel, it is developing analytical building blocks to support the prosecution of crimes committed in the Syrian Arab Republic, falling within the mandate, as part of its structural investigation and case files.

The Mechanism endeavours to promote justice by supporting every opportunity for justice compatible with its mandate that is currently available in national courts or may become available in the future, including in any hybrid, regional or international court that may be established. Its ongoing dialogue, exchanges and cooperation with civil society organizations and individuals in the Syrian Arab Republic help the Mechanism to ensure that its work reflects the realities of those directly affected and to develop its victim- and survivor-centred approach.

(Signed) Catherine **Marchi-Uhel**
Head of the Mechanism

A. Proposed programme plan for 2021 and programme performance for 2019

Overall orientation

Mandates and background

- 8.182 The Mechanism is responsible for assisting in the investigation and prosecution of persons responsible for the most serious international crimes committed in the Syrian Arab Republic since March 2011. The mandate derives from the priorities established in relevant General Assembly resolutions, including resolution [71/248](#), as further elucidated in the Mechanism's terms of reference (see [A/71/755](#), annex). The Mechanism has a responsibility to support criminal accountability, and its work relates to both supporting ongoing investigations and prosecutions being conducted by other actors and building case files to be shared with courts or tribunals which currently, or may in the future, have jurisdiction over those crimes.

Programme of work

International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011

Objective

- 8.183 The objective, to which the Mechanism contributes, is to achieve accountability for the most serious international crimes committed in the Syrian Arab Republic since March 2011.

Strategy

- 8.184 To contribute to the achievement of accountability for the most serious international crimes committed in the Syrian Arab Republic since March 2011, the Mechanism will continue to build a comprehensive collection of evidence concerning those alleged crimes through existing or new cooperation agreements. This work is expected to result in the preservation and aggregation of crucial evidence in a comprehensive central repository of information and evidence of such alleged crimes. The Mechanism will also continue to analyse evidence within the framework of its structural investigation, which is expected to result in a principled and systematic foundation for supporting the work of national criminal justice actors. Furthermore, the Mechanism will build criminal case files through the analysis of evidence in its possession, pursuing lines of inquiry and conducting investigations required to fill evidentiary gaps. In addition, the Mechanism will share information, evidence, analytical work product, expertise and/or case files with national, regional or international courts and tribunals that have jurisdiction over these alleged crimes. This work is expected to result in strengthened investigations, prosecutions and trials by national authorities of the alleged crimes within the Mechanism's mandate. The Mechanism will further develop and implement its victim- and survivor-centred approach and integrate a focus on sexual and gender-based crimes and crimes against children, throughout its work, which is expected to result in greater accessibility to justice and gender equality. The Mechanism will also continue to promote an integrated approach to justice and accountability through effective dialogue and coordination, including with national criminal justice actors, civil society and other United Nations actors. These activities are expected to result in the strengthening of the broadest possible range of justice initiatives compatible with the Mechanism's mandate. Past results in these areas include the collection and processing of more than

two million records by the end of 2019, with 49 terabytes of material now preserved in the Mechanism's central repository of information and evidence.

External factors for 2021

- 8.185 With regard to the external factors, the overall plan for 2021 is based on the following planning assumptions:
- (a) Parties will provide information and evidence (including hard copies of documents, digital records, databases, images and videos) for inclusion in the evidence collection, necessitating storage capabilities and resources for the ongoing tagging of information and evidence;
 - (b) Relevant materials on chemical weapons usage compiled by the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism will be made available.
- 8.186 The Mechanism integrates a gender perspective in its operational activities, deliverables and results, as appropriate. The Mechanism continues to incorporate a gender perspective in its evidentiary strategies, for example, to avoid bias against accurately recording harms experienced by females, to ensure due attention is given to sexual violence crimes against males and to diversify evidentiary sources to accurately account for the perspectives of all genders.
- 8.187 With regard to cooperation with other entities, the Mechanism will continue to cooperate with competent jurisdictions, international organizations, civil society organizations (both in the Syrian Arab Republic and internationally) and individuals utilizing a variety of cooperation frameworks.
- 8.188 With regard to inter-agency coordination and liaison, the Mechanism will continue to cooperate with other United Nations entities working on issues related to the Syrian Arab Republic, including the Independent International Commission of Inquiry on the Syrian Arab Republic, in accordance with its mandate.

Programme performance in 2019: access to evidence for fair and independent criminal proceedings

- 8.189 The Mechanism continued its development of a comprehensive central repository of information and evidence concerning serious crimes in the Syrian Arab Republic. To ensure impartiality, the Mechanism continued to engage with 50 parties through cooperation frameworks, including with international organizations, Member States and civil society organizations. The Mechanism aligned its collection and investigative activities with the analytical and case file building components of its work, as well as the provision of evidence and other support to national jurisdictions. The Mechanism began developing analytical work to support the prosecution of core international crimes committed in the Syrian Arab Republic, as part of its structural investigation. The Mechanism also continued work on its two existing case files. In order to respond to an increased number of requests by national criminal justice actors for access to evidence stored within the Mechanism's evidence collection and to analytical work product prepared as part of its structural investigation, the Mechanism increased its evidentiary holdings; enhanced its capacity to electronically search its evidence collection to identify relevant materials; tested, reviewed and strengthened initial working processes; and engaged in interactive dialogue with requesting authorities.

Progress towards the attainment of the objective, and performance measure

- 8.190 This work contributed to the achievement of justice for the victims and accountability for the perpetrators of the most serious international crimes committed in the Syrian Arab Republic since March 2011, as demonstrated by the 20 responses given by the Mechanism in 2019 to requests for assistance made by national jurisdictions for material from its evidence collection or analytical work product from its structural investigation.

Figure 8.XVII
Performance measure: number of requests for assistance receiving response



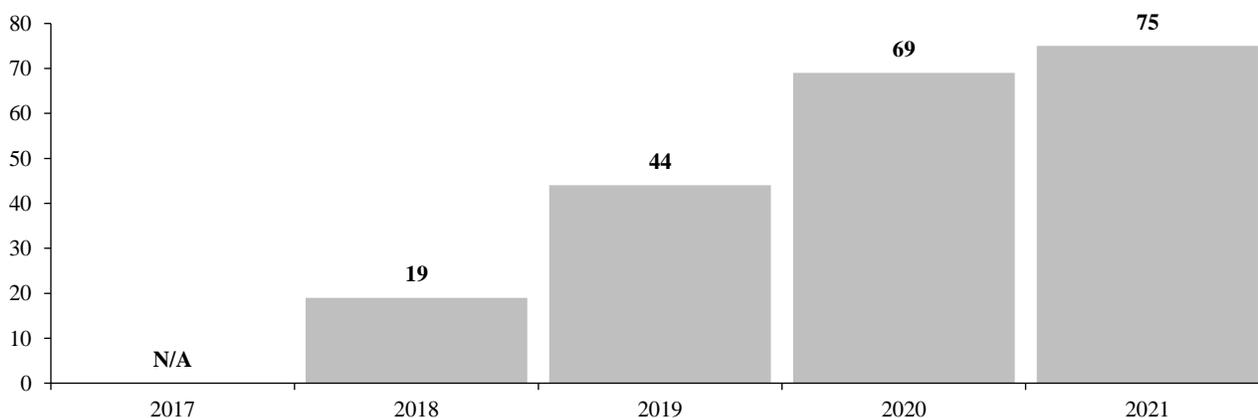
Abbreviation: N/A, not applicable.

Planned results for 2021

Result 1: domestic investigations and prosecutions supported by expansion and diversification of the evidence collection (result carried over from 2020)

8.191 The Mechanism will continue its work related to the gathering of evidence, in line with its mandate, and will establish cooperation frameworks, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the performance target proposed for 2020, as approved by the General Assembly in its resolution [74/251](#).

Figure 8.XVIII
Performance measure: number of available data sources



Abbreviation: N/A, not applicable.

Result 2: mixed-format analysis (new result)

8.192 The Mechanism has been collecting information and evidence in multiple formats, including video, digital images and audio recordings, and from databases. It has made progress in using advanced computational methods to analyse large quantities of text documents.

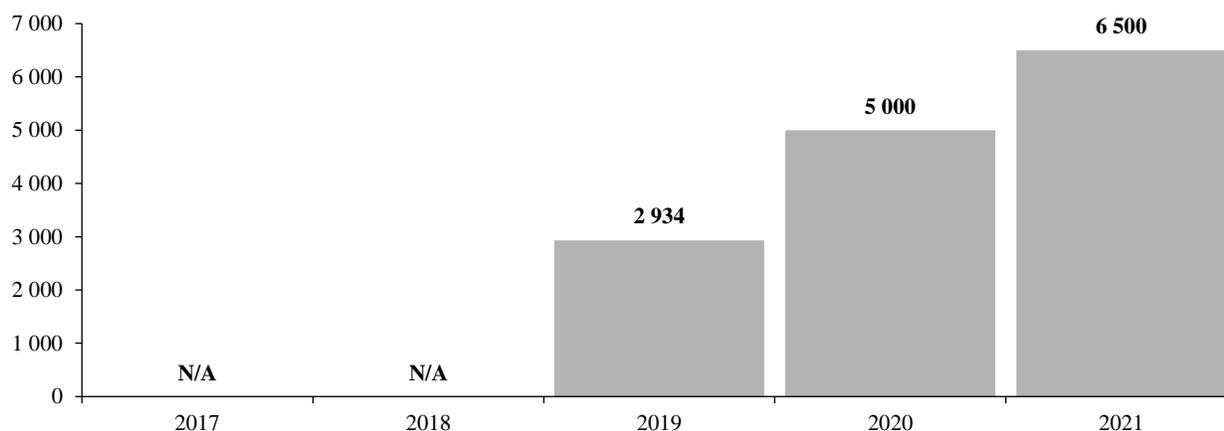
Internal challenge and response

8.193 The challenge for the Mechanism was to extend and enhance its capacity to analyse data in formats other than text documents, in particular video and audio. In response, the Mechanism will enhance its in-house capacity to work with these formats through the acquisition of relevant technology, the development of related standard operating procedures and, where required, through technical training.

Expected progress towards the attainment of the objective, and performance measure

8.194 This work is expected to contribute towards the achievement of justice for the victims and accountability for the perpetrators of the most serious international crimes committed in the Syrian Arab Republic since March 2011, which will be demonstrated by the review of 6,500 evidence collection records for the purpose of responding to requests for assistance made by competent authorities in relevant jurisdictions, either as part of case files or separately.

Figure 8.XIX
Performance measure: number of evidence collection records



Abbreviation: N/A, not applicable.

Legislative mandates

8.195 Below is the mandate entrusted to the Mechanism.

General Assembly resolution

71/248	International, Impartial and Independent Mechanism to Assist in the Investigations and Prosecutions of Persons Responsible	for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011
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Deliverables

8.196 Table 8.48 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 8.48

International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011: deliverables for the period 2019–2021, by category and subcategory

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	2	2	2	2
1. Reports for the General Assembly	2	2	2	2
Substantive services for meetings (number of three-hour meetings)	–	–	3	3
2. Meetings of the Fifth Committee	–	–	1	1
3. Meetings of the Committee for Programme and Coordination	–	–	1	1
4. Meetings of the Advisory Committee on Administrative and Budgetary Questions	–	–	1	1
B. Generation and transfer of knowledge				
Seminars, workshops and training events (number of days)	44	25	87	4
5. Lausanne workshops on collaboration strategies between NGOs in the Syrian Arab Republic and the Mechanism	2	1	2	1
6. Workshops for civil society actors in the Syrian Arab Republic to build their capacity to be actors for accountability there	2	–	4	2
7. Training of members of war crimes units in the use of the Mechanism's evidence system to facilitate their identification and analysis of evidence of international crimes	40	24	80	–
8. Annual meeting with victims representatives from NGOs to engage as part of its victim-centred approach	–	–	1	1
Technical materials (number of materials)	34	39	50	71
9. Document containing a compilation of information and evidence of international crimes, including in response to requests for assistance submitted to the Mechanism by prosecuting authorities	23	33	32	50
10. Documents containing a compilation of analysis of evidence of international crimes, for sharing with relevant authorities	10	5	15	19
11. Case files (in whole or in part) regarding individual criminal responsibility for specific international crimes, ready for sharing with relevant authorities which have jurisdiction to prosecute international crimes committed in the Syrian Arab Republic	1	1	3	2

C. Substantive deliverables

Consultation, advice and advocacy: consultations with national judicial authorities from 17 countries to facilitate their identification and analysis of evidence of international crimes in the Mechanism's evidence collection, and further cooperation in support of national investigations and prosecutions; and consultations with civil society and victims' communities about the accountability processes.

Fact-finding, monitoring and investigation missions: 16 investigations or missions to identify sources and potential witnesses; collect evidence; fill existing gaps in the Mechanism's evidence collection; and/or build case file(s) for national, regional or international jurisdictions that will prosecute international crimes committed in the Syrian Arab Republic since March 2011.

Databases and substantive digital materials: central repository of evidence of crimes committed in the Syrian Arab Republic since March 2011 that can facilitate criminal law prosecutions in appropriate jurisdictions, now or in the future.

Section 8 Legal affairs

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
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D. Communication deliverables

Outreach programmes, special events and information materials: periodic bulletins on the Mechanism’s work; leaflet and question and answer booklet for general dissemination; background papers containing information about the Mechanism; and meetings to raise awareness among United Nations partners of the Mechanism’s mandate and activities.

External and media relations: press conferences, interviews, participation in panels and events, and briefings to the diplomatic and academic communities on the progress of the Mechanism’s work.

Digital platforms and multimedia content: updating and maintenance of the Mechanism’s website.

Abbreviation: NGO, non-governmental organization.

B. Proposed post and non-post resource requirements for 2021

Overview

8.197 The proposed regular budget resources for 2021, including the breakdown of resource changes, as applicable, are reflected in tables 8.49 to 8.51.

Table 8.49

Financial resources

(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total				Percentage
Posts	–	9 538.5	–	–	–	–	–	9 538.5	252.1	9 790.6
Other staff costs	–	1 645.9	–	–	–	–	–	1 645.9	11.5	1 657.4
Hospitality	–	3.6	–	–	–	–	–	3.6	–	3.6
Consultants	–	1 090.2	–	–	(8.4)	(8.4)	(0.8)	1 081.8	7.6	1 089.4
Experts	–	–	–	–	–	–	–	–	–	–
Travel of representatives	–	287.5	–	–	–	–	–	287.5	5.5	293.0
Travel of staff	–	581.0	–	–	(30.7)	(30.7)	(5.3)	550.3	10.5	560.8
Contractual services	–	1 476.2	(10.7)	–	–	(10.7)	(0.7)	1 465.5	10.4	1 475.9
General operating expenses	–	969.8	–	–	(39.9)	(39.9)	(4.1)	929.9	6.4	936.3
Supplies and materials	–	63.3	–	–	–	–	–	63.3	0.5	63.8
Furniture and equipment	–	1 745.7	(438.0)	–	79.0	(359.0)	(20.6)	1 386.7	9.7	1 396.4
Fellowships, grants and contributions	–	47.0	–	–	–	–	–	47.0	0.9	47.9
Total	–	17 448.7	(448.7)	–	–	(448.7)	(2.6)	17 000.0	315.1	17 315.1

Table 8.50

Post changes^a

	Number	Level
Approved for 2020	60	1 ASG, 1 D-1, 4 P-5, 10 P-4, 24 P-3, 4 P-2, 6 P-1, 1 GS (PL), 9 GS (OL)
Proposed for 2021	60	1 ASG, 1 D-1, 4 P-5, 10 P-4, 24 P-3, 4 P-2, 6 P-1, 1 GS (PL), 9 GS (OL)

^a No post changes are proposed for 2021.

Note: The following abbreviations are used in tables and figures: ASG, Assistant Secretary - General; GS (OL), General Service (Other level); GS (PL), General Service (Principal level).

Table 8.51
Post resources

Category	Changes					Total	2021 proposed
	2020 approved	Technical adjustments	New/expanded mandates	Other			
Professional and higher							
ASG	1	–	–	–	–	–	1
D-1	1	–	–	–	–	–	1
P-5	4	–	–	–	–	–	4
P-4	10	–	–	–	–	–	10
P-3	24	–	–	–	–	–	24
P-2/1 ^a	10	–	–	–	–	–	10
Subtotal	50	–	–	–	–	–	50
General Service							
Principal level	1	–	–	–	–	–	1
Other level	9	–	–	–	–	–	9
Subtotal	10	–	–	–	–	–	10
Total	60	–	–	–	–	–	60

^a Includes 4 P-2 and 6 P-1.

8.198 Additional details on the distribution of the proposed resources for 2021 are reflected in table 8.52 and figure 8.XX.

8.199 As reflected in tables 8.52 (1) and 8.54, the overall resources proposed for 2021 amount to \$17,000,000 before recosting, reflecting a decrease of \$448,700 (or 2.6 per cent) compared with the appropriation for 2020. Resource changes result from technical adjustments relating to the removal of non-recurrent requirements. The proposed level of resources provides for the full, efficient and effective implementation of the mandate.

Table 8.52
Evolution of financial resources by component

(Thousands of United States dollars)

(1) Regular budget

	Changes							2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
	2019 expenditure	2020 appropriation	Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Programme of work	–	17 448.7	(448.7)	0.0	0.0	(448.7)	(2.6)	17 000.0	315.1	17 315.1
Subtotal, 1	–	17 448.7	(448.7)	0.0	0.0	(448.7)	(2.6)	17 000.0	315.1	17 315.1

Part III International justice and law

(2) *Extrabudgetary*

	2019 expenditure	2020 estimate	2021 estimate
Programme of work	8 421.8	1 146.0	1 000.0
Subtotal, 2	8 421.8	1 146.0	1 000.0
Total	8 421.8	18 594.7	18 315.1

Table 8.53
Evolution of post resources by component

(1) *Regular budget*

	2020 approved	Post changes				2021 proposed
		Technical adjustments	New/expanded mandates	Other	Total	
Programme of work	60	–	–	–	–	60
Total	60	–	–	–	–	60

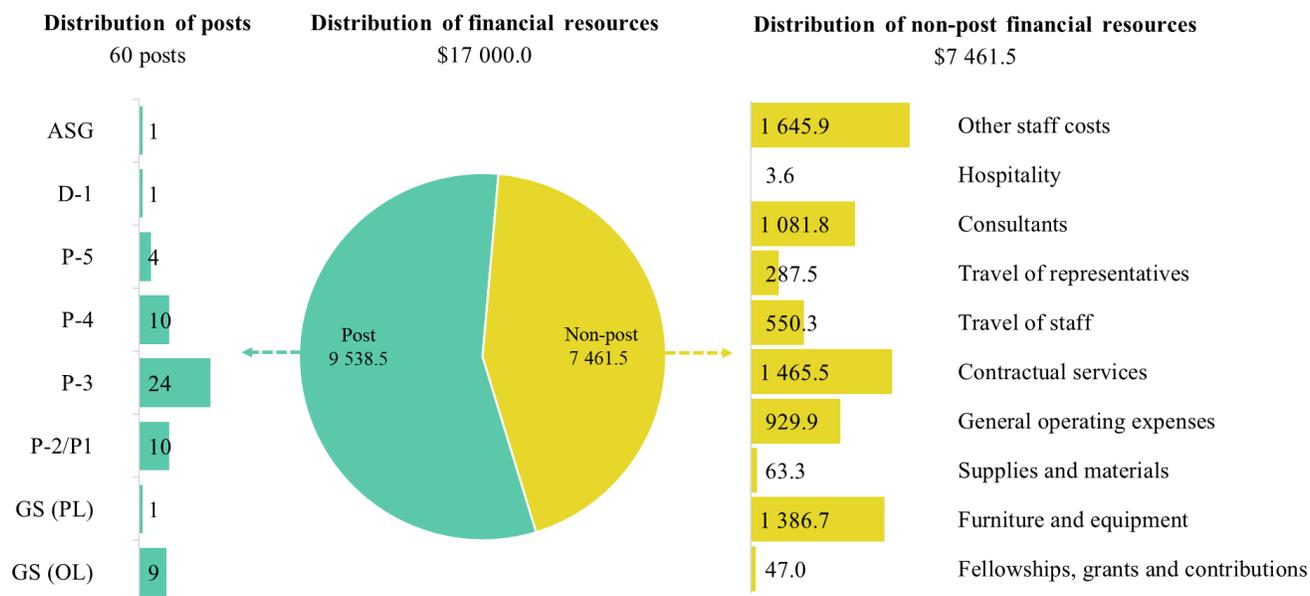
Table 8.54
Evolution of financial and post resources by category

(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes				2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	
Financial resources by main category of expenditure							
Post	–	9 538.5	–	–	–	–	9 538.5
Non-post	–	7 910.2	(448.7)	–	–	(448.7)	(5.7) 7 461.5
Total	–	17 448.7	(448.7)	–	–	(448.7)	(2.6) 17 000.0
Post resources by category							
Professional and higher		50	–	–	–	–	50
General Service and related		10	–	–	–	–	10
Total		60	–	–	–	–	60

Figure 8.XX
Distribution of proposed resources for 2021 (before recosting)

(Number of posts/thousands of United States dollars)



Variance analysis

Overall resource changes

Technical adjustments

8.200 As reflected in table 8.52 (1), resource changes reflect a decrease of \$448,700 related to the discontinuation of non-recurrent provisions in 2020 under (a) contractual services for background checks (\$10,700) and (b) furniture and equipment for mission kits, evidence processing, preservation and video processing workstations, hard-copy scanning equipment, forensic information and communications technology equipment, digital camera forensic kits, shredders and compact shelving, and security and safety equipment (\$438,000) that were approved for the Mechanism in 2020 pursuant to General Assembly resolution 74/262.

Extrabudgetary resources

8.201 As reflected in table 8.52 (2) above, the Mechanism receives extrabudgetary contributions, which complement regular budget resources and support the delivery of its mandates. In 2021, projected extrabudgetary resources (cash contributions) of \$1,000,000 are expected to be received in support of extrabudgetary activities. Extrabudgetary resources represent 5.5 per cent of the total resources for the Mechanism.

8.202 Information on compliance with regard to the advance booking for air travel is reflected in table 8.55.

Table 8.55
Compliance rate
 (Percentage)

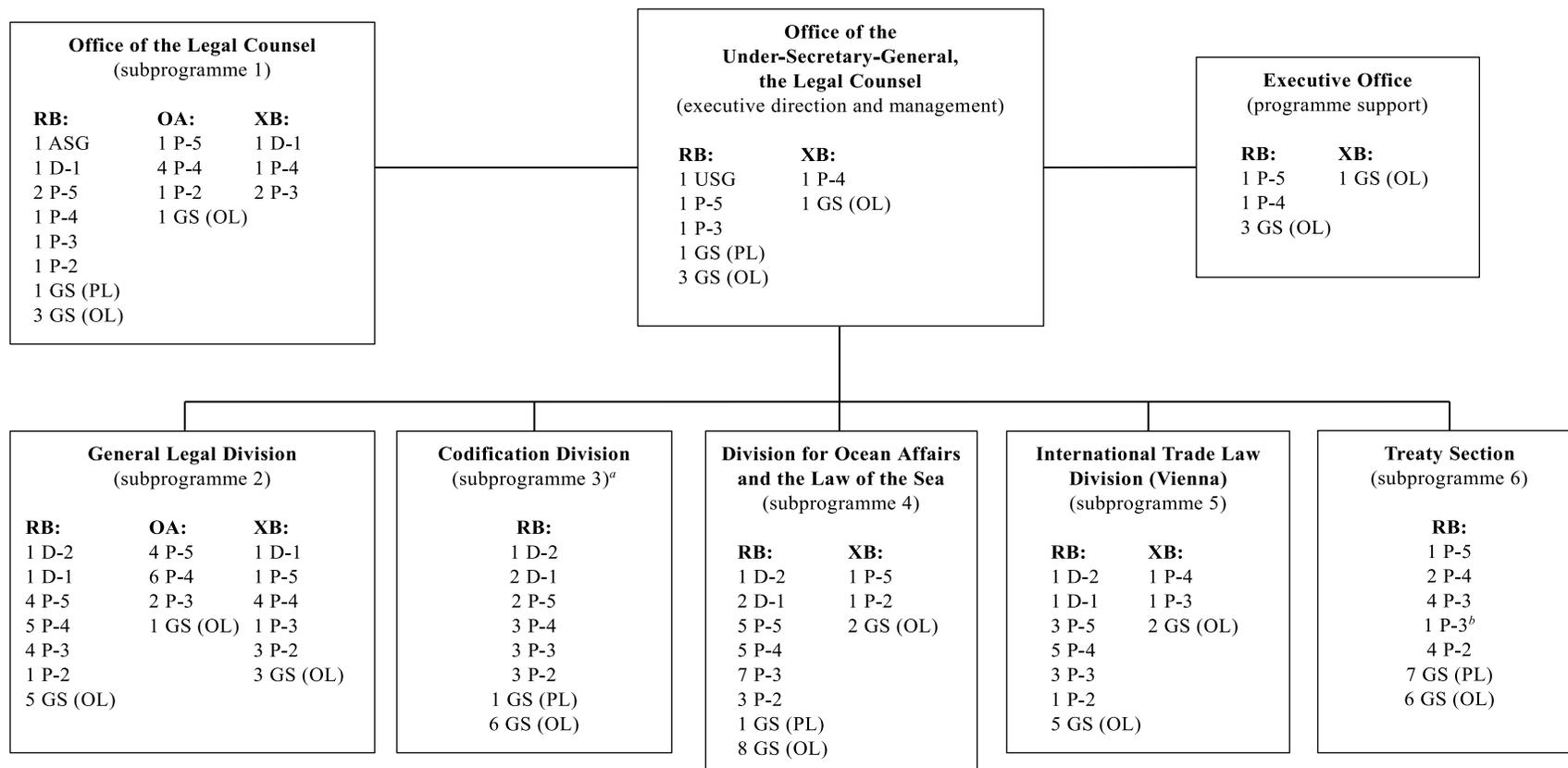
	Planned 2019	Actual 2019	Planned 2020	Planned 2021
Air tickets purchased at least 2 weeks before the commencement of travel	N/A	N/A	100	100

Abbreviation: N/A, not applicable.

Annexes to the proposed post and non-post requirements for 2021

I. Organizational structure and post distribution for 2021

A. Office of Legal Affairs

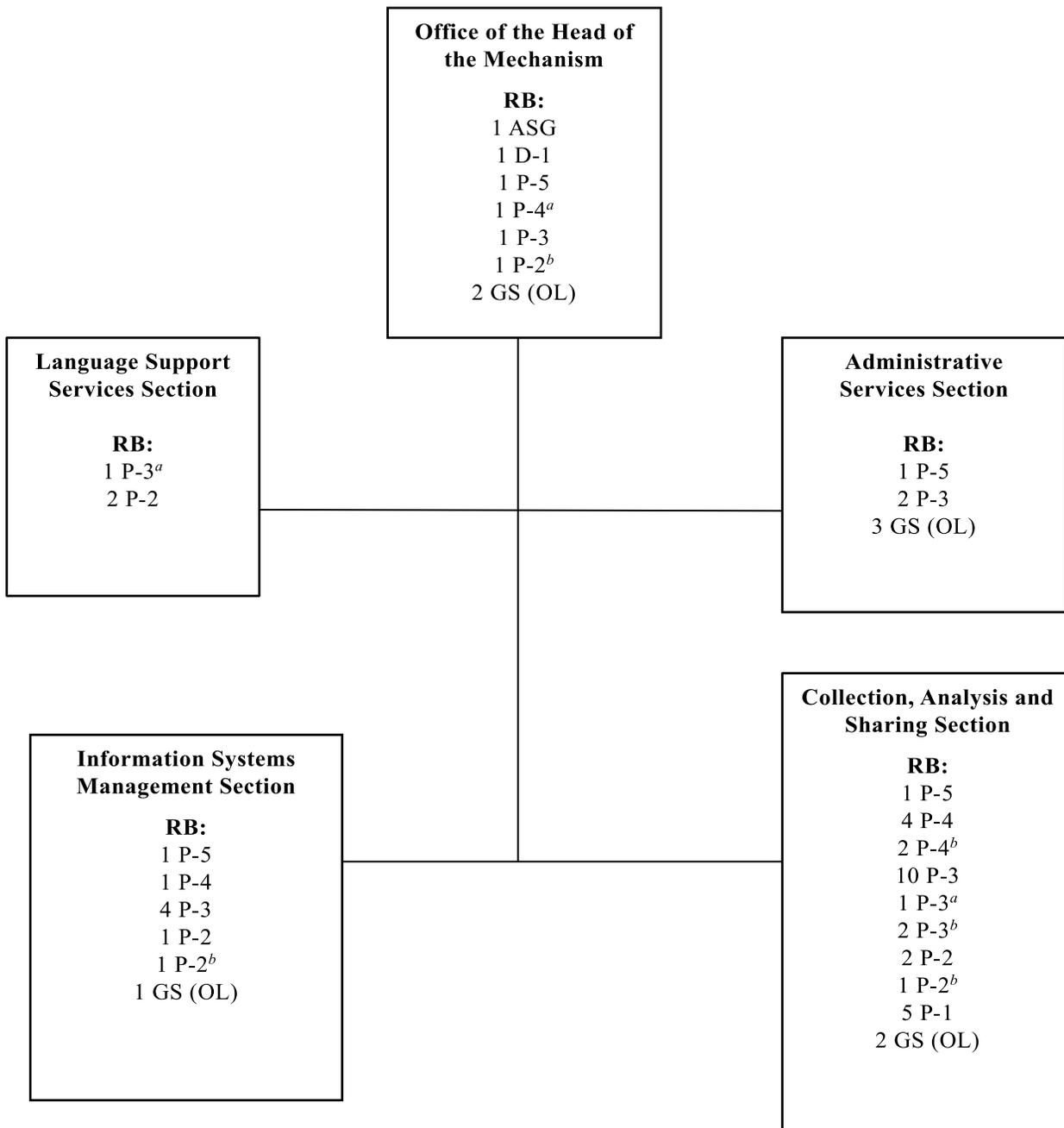


Abbreviations: ASG, Assistant Secretary-General; GS (OL), General Service (Other level); GS (PL), General Service (Principal level); OA, other assessed; RB, regular budget; USG, Under-Secretary-General; and XB, extrabudgetary.

^a In addition, the subprogramme will have two temporary assistance positions to support the work of the Office: one Legal Officer (P-3) and one Staff Assistant (GS (OL)).

^b Reclassification of 1 P-2 to P-3.

B. Independent Investigative Mechanism for Myanmar



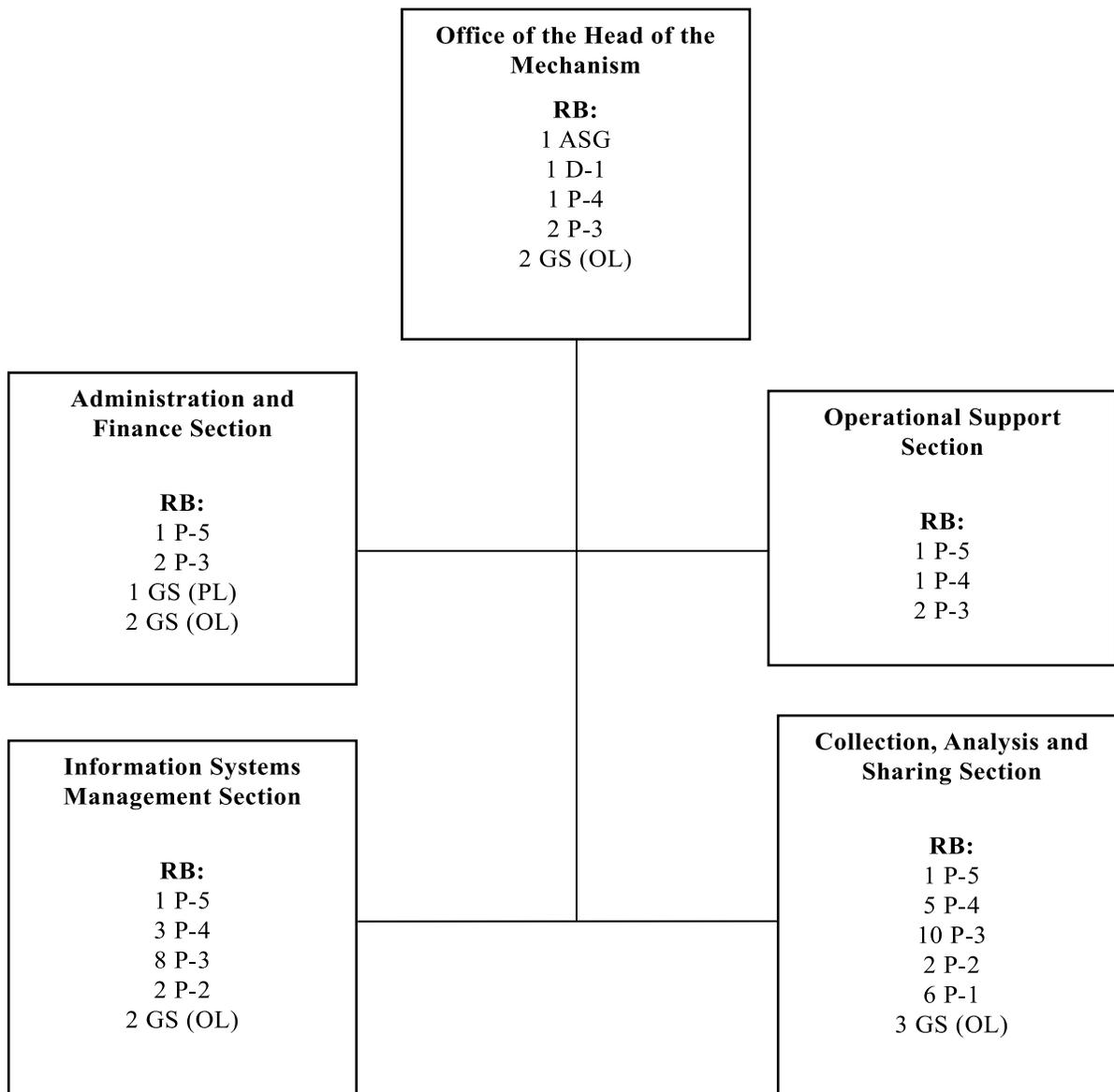
Note: The distribution of general temporary assistance positions is indicated.

Abbreviations: ASG, Assistant Secretary-General; GS (OL), General Service (Other level); and RB, regular budget.

^a New temporary position.

^b Reassigned position.

C. International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011



Abbreviations: ASG, Assistant Secretary-General; GS (OL), General Service (Other level); GS (PL), General Service (Principal level); and RB, regular budget.

II. Summary of follow-up action taken to implement relevant recommendations of the oversight bodies

Office of Legal Affairs

Brief description of the recommendation

Action taken to implement the recommendation

Advisory Committee on Administrative and Budgetary Questions (A/74/7)

The Advisory Committee expects that the recruitment for posts encumbered for extended periods by staff members receiving a special post allowance will be completed without further delay (para. III.25).

The Advisory Committee recalls that the General Assembly, on a number of occasions, has expressed concern at the low rate of compliance with the advance purchase policy directive. The Committee reiterates that more efforts are required, in particular in areas where travel can be better planned (see also [A/73/779](#), para. 16). While noting that the Office of Legal Affairs has set up ambitious targets for 2019 and 2020, the Committee is of the view that concrete plans and strategies should also be developed for achieving such targets and trusts that the Secretary-General will include information on such plans in his next budget submission (para. III.30).

In the vast majority of cases, the staff members who are in receipt of a special post allowance are discharging the functions at a higher level because the original incumbent is away (assignment, secondment or special leave without pay). Accordingly, it is not possible to undertake a full recruitment process.

The Office of Legal Affairs has continued to make efforts to sensitize staff members and encourage early planning of meetings and conferences whenever possible. Normally, the Office's staff do plan their trips with enough time. However, the nominations of meeting participants and representatives to conferences by Member States are frequently submitted after the normal deadline for processing. In addition, in 2019 and 2020, travel timeliness has been impacted by the liquidity situation of the programme budget, where the normal ticketing of travel cannot proceed owing to lack of funds.

III. Summary of proposed changes in established and temporary posts, by component and subprogramme

A. Office of Legal Affairs

	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
Subprogramme 2 General legal services provided to United Nations organs and programmes	(1)	GS (OL)	Abolishment of 1 post of Legal Assistant	As a result of the thoughtful redistribution of work in the subprogramme to support the Secretary-General's aims for increased efficiency in the Office's discharge of its mandates
Subprogramme 4 Law of the sea and ocean affairs	(1)	GS (OL)	Abolishment of 1 temporary post of Programme Management Assistant	To reflect a technical adjustment to reduce non-recurrent requirements, which were approved pursuant to General Assembly resolution 71/257
	(1)	P-3	Abolishment of 1 temporary post of Programme Management Officer	To reflect a technical adjustment to reduce non-recurrent requirements, which were approved pursuant to General Assembly resolution 71/257
Subprogramme 6 Custody, registration and publication of treaties	(1)	P-2	Reclassification of 1 post from Associate Editor (P-2) to Editor (P-3)	
	1	P-3		To allow the Office to comply with administrative instruction ST/AI/2000/1 on the special conditions for recruitment or placement of candidates successful in a competitive examination for posts requiring special language skills, in line with the complexities and responsibilities of the post, which entails the detailed review of complex legal documents in almost 100 different languages, to ascertain the accuracy and completeness of the text reproduced in the Treaty Series and to ensure compliance with United Nations editorial standards

B. Independent Investigative Mechanism for Myanmar^a

	<i>General temporary assistance positions</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
Programme of work	(5)	P-1	Abolishment of 5 Associate Legal Officers (P-1)	As part of the changes in the Mechanism's staffing structure to strengthen its capacity to deliver on its mandate
	1	P-4	Establishment of 1 Public Information Officer (P-4)	To manage and provide strategic guidance on the Mechanism's public information and outreach efforts that will enable it to communicate its mandate, strategies and outputs to relevant stakeholders, particularly civil society organizations and victims' groups
	1	P-3	Establishment of 1 Legal Officer (P-3)	To strengthen the Mechanism's technical capacity to collect and analyse information, documentation and evidence, and to prepare case files based on such materials
	1	P-3	Establishment of 1 Editor (P-3)	To enable the Language Support Services Section to provide efficient language services to the Mechanism, including translations of evidentiary documents for use by national, regional or international courts or tribunals, considering the proposed reassignment of the Editor/Reviser (P-4) to Investigator (P-4)
	1	P-4	Reassignment of 1 Editor/Reviser (P-4) as Investigator (P-4)	To strengthen the Mechanism's technical capacity to collect information, documentation and evidence, including by interviewing victims and witnesses
	1	P-4	Reassignment of 1 Information Systems Officer (P-4) as Legal Officer (P-4)	To strengthen the Mechanism's technical capacity to collect and analyse information, documentation and evidence, and to prepare case files based on such materials
	1	P-3	Reassignment of 1 Security Information Analyst (P-3) as Witness Protection and Support Officer (P-3)	To strengthen the Mechanism's capacity to ensure that victims and witnesses are provided appropriate protective and support measures
	1	P-3	Reassignment of 1 Legal Officer (P-3) as Human Rights Officer (P-3)	To have the necessary specialized expertise on international human rights law relevant to the Mechanism's mandate, as elucidated in its terms of reference
	1	P-2	Reassignment of 1 Associate Translator (P-2) as Associate Information Systems Officer (P-2)	To support the development and ongoing maintenance of the Mechanism's electronic database for the collection and secure storage of information, documentation and evidence
	1	P-2	Reassignment of 1 Associate Translator (P-2/1) as Associate Public Information Officer	To enable the Mechanism to communicate its mandate, strategies and outputs to relevant stakeholders, in particular civil society organizations and victims' groups
1	P-2	Reassignment of 1 Associate Translator (P-2/1) as Associate Witness Protection and Support Officer	To strengthen the Mechanism's capacity to ensure appropriate protective and support measures for victims and witnesses	

Abbreviation: GS (OL), General Service (Other level).

^a The distribution of general temporary assistance positions is indicated.

IV. Overview of financial and post resources by entity and funding source*

(Thousands of United States dollars/number of posts)

	<i>Regular budget</i>			<i>Other assessed</i>			<i>Extrabudgetary</i>			<i>Total</i>		
	<i>2020 appropriation</i>	<i>2021 estimate (before recosting)</i>	<i>Variance</i>	<i>2020 estimate</i>	<i>2021 estimate</i>	<i>Variance</i>	<i>2020 estimate</i>	<i>2021 estimate</i>	<i>Variance</i>	<i>2020 estimate</i>	<i>2021 estimate</i>	<i>Variance</i>
Financial resources												
Office of Legal Affairs	26 768.5	26 021.5	(747.0)	3 594.4	4 091.3	496.9	8 597.8	8 595.8	(2.0)	38 960.7	38 708.6	(252.1)
Independent Investigative Mechanism for Myanmar	14 236.5	12 252.7	(1 983.8)	–	–	–	–	–	–	14 236.5	12 252.7	(1 983.8)
International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011	17 448.7	17 000.0	(448.7)	–	–	–	1 142.0	1 000.0	(142.0)	18 590.7	18 000.0	(590.7)
Total	58 453.7	55 274.2	(3 179.5)	3 594.4	4 091.3	496.9	9 739.8	9 595.8	(144.0)	71 787.9	68 961.3	(2 826.6)
Post resources												
Office of Legal Affairs	144	141	(3)	20	20	–	28	28	–	192	189	(3)
Independent Investigative Mechanism for Myanmar	58	56	(2)	–	–	–	–	–	–	58	56	(2)
International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011	60	60	–	–	–	–	–	–	–	60	60	–
Total	262	257	(5)	20	20	–	28	28	–	310	305	(5)

* Does not include resources for the Extraordinary Chambers in the Courts of Cambodia or the Residual Special Court for Sierra Leone for 2021, which will be requested in the related reports of the Secretary-General.